

**KARNATAKA LEGISLATIVE ASSEMBLY****FIFTEENTH LEGISLATIVE ASSEMBLY****TENTH SESSION****THE CHANAKYA UNIVERSITY BILL, 2021****(LA Bill No. 40 of 2021)**

A Bill to establish and incorporate in the State of Karnataka a University of Unitary in nature in private sector by the Centre for Educational and Social Studies a Society to promote and undertake the advancement of knowledge frontiers in Higher Education in Sciences, Engineering and Technology, Arts, Humanities, Social Sciences, Commerce, Management, Medicine, Health Sciences, Pharmacy etc., and for the matters connected therewith or incidental thereto.

Whereas it is expedient to establish and incorporate in the State of Karnataka a University of unitary in nature in private sector by the Centre for Educational and Social Studies. The University shall be a multi-disciplinary institution committed unflinchingly to the service of society through excellence in teaching, development of knowledge and direct contributions in the world of practice. The concerns of India and Indian knowledge systems will deeply inform all the knowledge endeavors of the University including teaching, research and practice in Higher Education in Sciences, Engineering and Technology, Arts, Humanities, Social Sciences, Commerce, Management, Medicine, Health Sciences, Pharmacy etc., This Act shall embody the true spirit of the National Education Policy 2020.

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

**CHAPTER-I****PRELIMINARY**

**1. Short title and commencement.-** (1) This Act may be called the Chanakya University Act, 2021.

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

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

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

- (a) "Academic Council" means the Academic Council of the University as specified in section 28 ;
- (b) "Agenda Matters" means all the matters and business to be designated in the Statutes each of which can be either included in the Agenda or be taken up

for discussion and decision at a meeting of the Board of Governors or the Board of Management or any Committees, as the case may be, only subject to the prior written approval of the Chancellor, consenting to the passing of the such matters and business at such a meeting;

- (c) “Board of Governors” means the Board of Governors of the University as specified in section 26 ;
- (d) “Board of Management” means the Board of Management of the University as specified in section 27 ;
- (e) “Campus” means a campus established, maintained or recognized by the University, wherever situated within the State;
- (f) “Chancellor”, “Pro-Chancellor”, “Vice-Chancellor”, “Pro Vice-Chancellor” means respectively the Chancellor, the Pro-Chancellor, the Vice-Chancellor and the Pro Vice-Chancellor of the University;
- (g) “Committees” means the committee formed under this Act or Statutes or Rules or Regulations or by the various functionaries of the University as the case may be and includes the Search cum Selection Committee, the Finance Committee and such other committees;
- (h) “Constituent College” means a college or institution established and maintained by the University;
- (i) “Court” means the Court of the University as specified in the section 25 ;
- (j) “Finance Committee” means the Finance Committee of the University as specified in section 30 ;
- (k) “Government” means the Government of Karnataka;
- (l) “National Accreditation bodies” means a body established by the Central Government for laying down norms and conditions for ensuring academic standards of higher education, such as University Grants Commission, All India Council of Technical Education, National Council of Teacher Education, Medical Council of India, Pharmaceutical Council of India, National Council of Assessment and Accreditation, Indian Council of Agriculture Research, Distance Education Council, Council of Scientific and Indian Research, Bar Council of India etc., and includes the Government;
- (m) “Ombudsman” means the ombudsman of the university as specified in section 36 ;
- (n) “Prescribed” means prescribed by Rules made by the Government under this Act;
- (o) “Principal in relation to a Constituent College” means the head of the Constituent College and includes, where there is no Principal or in the absence of a Principal appointed, the Vice-Principal or any other person for the time being appointed to act as Principal;
- (p) “Regional Centre” means a centre established or maintained by the University for the purpose of coordinating and supervising the work of Study Centers in any region within State for performing such other functions as may be conferred on such centre by the Board of Management;
- (q) “Registrar”, and “Registrar (Evaluation)” means the Registrar, and the Registrar (Evaluation) of the University;

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- (r) “Research Centre” means a centre within the state established, maintained or recognised by the University for carrying out research programme or any other research in any branch of knowledge;
- (s) “Society” means the “Centre for Educational and Social Studies” registered under Karnataka Societies Registration Act 1960 (Karnataka Act No 17 of 1960);
- (t) “Sponsoring Authority” or “Sponsoring Body” in relation to this Act means Centre for Educational and Social Studies ;
- (u) “State” means the State of Karnataka;
- (v) “Statutes”, “Regulations”, “Rules” and “Ordinances” mean, respectively, the Statutes, the Regulations, the Rules, and the Ordinances of the University made under this Act;
- (w) “Study Centre” means a centre within the State established and maintained by the University for the purpose of advising, counselling or for rendering any other assistance required by the students in the context of the education;
- (x) “Teacher” means and includes a Professor, Associate Professor, Assistant Professor or Reader or Lecturer or Faculty or such other person as may be appointed for imparting instruction or conducting or to guide research in the University or in a Constituent College and includes the Principal of Constituent College in conformity with the norms specified by the ‘University Grants Commission’;
- (y) “University” means the “Chanakya” University established and incorporated under this Act;
- (z) “University Grants Commission” means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956);
- (aa) “Visitor” means the visitor of the University as specified in section 13.

## CHAPTER-II

### THE UNIVERSITY AND SPONSORING BODY

**3. Proposal for the establishment of the University.-** (1) The Society shall have the right to establish the University of unitary nature subject to and in accordance with the provisions of this Act.

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

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

- (i) the objects of the University along with the details of the Society;
- (ii) the extent and status of the University and the availability of land;
- (iii) the nature and type of programmes of study and research to be undertaken by the University during a period of five academic years immediately following the commencement date;
- (iv) the nature of faculties or schools, courses of study and research proposed to be started;

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- (v) the campus development such as buildings, equipment and structural amenities;
  - (vi) the phased outlays of capital expenditure for a period of five academic years immediately following the commencement date;
  - (vii) the item-wise recurring expenditure, sources of finance and estimated expenditure for each student;
  - (viii) the scheme for mobilizing resources and the cost of capital thereto and the manner of repayments to each source;
  - (ix) the scheme of generation of funds internally through the recovery of fee from students, revenues anticipated from consultancy and other activities relating to the objects of the University and other anticipated incomes;
  - (x) the details of expenditure on unit cost, the extent of concessions or rebates in fee, free ship and scholarship for students belonging to economically weaker sections and the fee structure indicating varying rate of fee, if any, that would be levied on students who are either non-resident Indians or persons of Indian origin or sponsored by non-resident Indians or persons of Indian origin and students of nationalities other than India;
  - (xi) the years of experience and expertise in the concerned discipline at the command of the Sponsoring Society as well as the financial resources;
  - (xii) the system for selection of students to the courses of study at the University; and
  - (xiii) Status of fulfillment of such other conditions as may be required by the State Government under this Act to be fulfilled before the establishment of the University.

(4) A Screening Committee shall be constituted by the State Government consisting of three members who are Ex-officio members of Karnataka State Higher Education Council to examine the proposals received from the Sponsoring body which has to make recommendations to the State Government for the establishment of the University.

**4. Establishment of the University.**- (1) Where the State Government, after considering the recommendations of the Screening Committee and holding such inquiry as it may deem necessary, is satisfied that,-

- (i) The Society has the ability to run a University with sufficient infrastructure;
- (ii) owns a land to the extent specified below in accordance with its location, namely:-
  - (a) twenty five acres of land if it is within limits of Bruhat Bangalore Mahanagara Palike;
  - (b) forty acres of land if it is outside the limits of Bruhat Bangalore Mahanagara Palike but within Bangalore Metropolitan Region Development Authority Area;

- (c) not less than fifty acres of land in the places other than the places specified in clauses (a) and (b).
- (iii) The land specified above shall consist of a single block and it shall be in the name of the concerned Society or institution or university itself.
- (iv) Adequate financial resources for creating the specified statutory funds and conducting the University affairs; and
- (v) Experience or expertise in running higher education institutions.

Based on the furnished particulars required in sub-section (3) of section 3, the Government may direct the Society to establish the permanent Statutory Endowment Fund as specified in section 53;

(2) After the establishment of the Permanent Statutory Endowment Fund, the State Government may, by notification, in the official Gazette, accord sanction for establishment of the University in the State by the name of "Chanakya" University after following the established process and ascertaining the requirements for the same.

(3) The headquarters of the University shall be at Bengaluru. The University may have Campuses or Regional Centers or Study Centers anywhere in Karnataka after five years of establishment of the University subject to the prior permission of the State Government and as per the norms of University Grants Commission.

(4) The First Chancellor, First Pro-Chancellor, First Vice-Chancellor, First Members of the Board of Governors, First Members of the Board of Management and the Academic Council, and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, shall constitute a body corporate of the University.

(5) On sanction for the establishment of the University under sub-section (2), the land and other movable and immovable properties acquired, created, arranged or built by the Society for the purpose of the University shall vest in the University.

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

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

**5. Grants and Financial Assistance.**-The University shall be self-financing and non-profit making organization shall neither make a demand nor shall be entitled to any maintenance grant-in-aid or any other financial assistance from the State or any other body or corporation owned or controlled by the State:

Provided that, the State may, provide financial support through grants or otherwise,-

(a) for research, development and other activities for which other State Government organizations are provided financial assistance; or

(b) for any specific research or programmes receiving support from the State Government;

(c) for the benefit of similar universities in the State whether subject to a change in State policy or otherwise;

(d) for supporting the maintenance grant or special grants or any other support that the State Government may provide for similar institutions for such purposes from time to time; and

(e) for implementing the provisions set out in the new National Education Policy, 2020 adopted by the Government of India and Government of Karnataka:

Provided further that, the university may receive any financial support from any other source.

**6. Power to establish constituent College, additional campuses, Regional Centers or Study Centers and Research Centers.-** The University may have Constituent Colleges, Regional Centers, Research Centers, additional campuses and Study Centers at such places in the State after five years of establishment of the University with the prior approval of the government subject to the norms of University Grants Commission and other National Accreditation bodies as it deems fit.

**7. Objects of the University.-** Objectives of the University shall be as stated below:

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

(ii) to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit, and in particular, to make special provisions for integrated courses and to make appropriate measures for promoting interdisciplinary, multidisciplinary and trans-disciplinary studies and research in the University;

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

(iv) to provide an equal emphasis on both academic and application-oriented learning besides facilitating the realization of inherent human excellence reflecting the essence of Indian thought;

(v) To integrate Indian Knowledge Systems (IKS) with contemporary academic disciplines to expand the frontiers of knowledge and its application for our current times;

(vi) to promote national integration and the integrated development of human personality amongst all its stakeholders;

(vii) to provide instruction, teaching, training, research, consultancy, extension and development in various disciplines in areas such as Sciences, Engineering and Technology, Arts, Humanities, Social Sciences, Commerce, Management, Medicine, Health Sciences, Pharmacy etc., including other allied fields of development and make provisions for research, advancement and dissemination of knowledge in these fields;

(viii) to design and deliver high quality training, capacity building and development systems for teachers in higher and professional education, administrators and professionals working in Government, Public and Private Sectors and development professionals in other systems;

(ix) to establish Campuses and have Study Centers, Constituent Colleges and Regional Centers at various location within Karnataka;

(x) to institute degrees, diplomas, certificates and other academic distinctions like award of credits on the basis of successful completion of academic work evaluated through multiple methods of assessment;

(xi) to collaborate with any other universities, research institutions, non-profit organizations, industry association, professional associations or other organizations and institutions to conceptualize, design, develop and offer specific educational and research programmes, training programmes and exchange programmes for students, faculty members and others;

(xii) to disseminate knowledge and develop a public debate on issues of education and allied development fields through seminars, conferences, executive education programmes, community development programmes, publications and training programmes and events;

(xiii) to undertake programmes for development and training of faculty and researchers of the University in partnership with any other institutions of quality with prior approval of the State Government;

(xiv) to undertake collaborative research and advocacy with any organizations with prior approval of the State Government;

(xv) to establish and manage, Not-for-profit organizations, Special Purpose Vehicles in accordance with section 8 of The Companies Act, 2013 (Central Act 18 of 2013) in pursuant of the objectives of the University;

(xvi) to establish information centers, libraries, publishing entities, media establishments etc., for meeting the objectives of the University;

(xvii) to undertake necessary or expedient action to pursue and promote the objectives of the University; and

(xviii) to pursue any objectives as may be appropriate and approved by the Board of Governors for the enhancement of education and other related endeavours.

**8. Powers of the University.**-The University shall have the following powers,-

(i) to administer and manage the University and such academic entities for research, education, instruction and extension as are necessary for the furtherance of the objects of the University;

(ii) to provide for instruction in such branches of knowledge or learning as the University may think fit and to make provision for research and for the advancement and dissemination of such knowledge including through online education as per the rules applicable from time to time;

(iii) to plan and carry out courses of study for degrees, diplomas, certificates or for any other purpose;

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- (iv) to organize and undertake teaching, research and extension services;
  - (v) to evaluate and assess the performance of the students of the University;
  - (vi) to grant diploma certificates, and to confer degrees and other academic distinctions on persons subject to such conditions as the University may determine;
  - (vii) to confer honorary degree or other distinctions in the manner laid down in the Statutes or the Regulations;
  - (viii) to determine, demand, collect and revise fees and other charges as may be defined by the Rules and the Regulations not prohibited by law in force;
  - (ix) to institute and maintain halls and hostels for the welfare of the students;
  - (x) to establish and run the Constituent Colleges and oversee the imparting of education therein;
  - (xi) to establish and recognize such campuses, special centers, specialized study centers, research centers, specialized laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;
  - (xii) to supervise and regulate the discipline of the students of the University;
  - (xiii) to make arrangements for promoting the health and well-being of the students;
  - (xiv) to make such requisite arrangements in respect of the residence, discipline and teaching of women, other socio-economic backward classes and disabled students;
  - (xv) to institute, suspend or abolish professorship, associate professorship, assistant professorship, readerships, lectureships, and any other teaching, academic or research and non-teaching posts required by the University;
  - (xvi) to appoint or recognize persons as professors, associate professors, assistant professors, readers, lecturers or otherwise as teachers and researchers of the University;
  - (xvii) to create academic, technical, administrative, ministerial and other posts and to make appointments thereto as per Statutes;
  - (xviii) to make appointments of the faculty, officers and employees of the University or a Constituent College, Campuses, Regional Centers, Research Centers, Study Centers from India and abroad;
  - (xix) to lay down conditions of service of all categories of employees, including their code of conduct and enforce discipline among the employees of the University and to take such disciplinary measures as may be deemed necessary;
  - (xx) to institute and award fellowships, scholarships, studentships, assistantships, stipends, tuition waivers, medals and prizes;
  - (xxi) to provide for printing, reproduction and publication of research, journals and other works and to organize exhibitions for such purposes;
  - (xxii) to either partner or co-operate with any other organization, institution, national and international body, including public-private partnership, in the



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matter of education, training and research in subjects, the University may deem fit for such purposes as may be agreed upon on such terms and conditions as the University may, from time to time, determine;

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

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

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

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

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

(xxviii) to acquire, sell, exchange, lease or otherwise dispose of any portion or whole of the immovable properties of the University, on such terms as it may think fit and proper without prejudice to the interest and activities of the University upon the prior approval of the Government;

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

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

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

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

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

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

(xxxv) to make provisions for extracurricular activities for students and employees;

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

(xxxvii) to determine standards of admission to the University or a Constituent College, Regional Centers, Research Centers, Study Centers with the approval of Academic Council;

(xxxviii) to constitute for the benefit of the academic, technical, administrative and other staff, in such manner and subject to such conditions as may be specified by the regulations, schemes such as pension, insurance, provident fund and gratuity, as it may deem fit, and to make such grants as it may think fit for the benefit of any employees of the University, and to aid in establishment and support of the associations, institutions, fund, trusts and conveyance calculated to benefit the staff and the students of the University;

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

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

(xli) to delegate if required all or any of its powers to the Vice Chancellor or the Pro-Vice-Chancellor(s) of the University or any committee or any sub-committee or to any one or more members or its body or its officers;

(xlii) to acquire and takeover and run the management of any other educational institutions with prior approval of Government;

(xliii) to raise, collect, subscribe and borrow money with the approval of the Board of Governors, for the purposes of the University; and

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

**9. University open to all classes, castes, creed, gender or nation.**-The University admissions shall be open to all persons irrespective of caste, class, creed, gender or nation. All admissions shall be made on the basis of merit in the qualifying examinations:

Provided that, forty percent of the admissions in all relevant courses of the university shall be reserved for the students of Karnataka State and admissions shall be made through a Common Entrance Examination conducted by the Central Government or State Government or its agency, as the case may be, and seats shall be allotted as per the merit and reservation policy of the State Government from time to time:

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

**10. National Accreditation.**-The University shall seek accreditation from respective statutory national accreditation bodies soon after its establishment. Further all the courses run by this University shall be as per regulations of National Accreditation Bodies.

**11. Powers of the Sponsoring Body.**- The Sponsoring body shall have the following powers with reference to the University, each of which may be exercised by the Sponsoring Body at its discretion, namely:-

- (i) to appoint or re-appoint or terminate the appointment of the Chancellor;
- (ii) to nominate the Chairperson of the Court of the University;
- (iii) to constitute the first Court of the University;
- (iv) to constitute the first Board of Governors of the University;
- (v) to nominate persons as members of the Court, the Board of Governors, Board of Management, Academic Council, Finance Committee, Estates and Works Committee and such other bodies as specified by the provisions of this Act and Statutes made thereunder;
- (vi) to provide required funds to the University Endowment Fund; and
- (vii) to resolve any conflict at the meeting of the Board of Governors in the manner provided for in this Act.

### **CHAPTER - III OFFICERS OF THE UNIVERSITY**

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

- (i) The Visitor;
- (ii) The Pro-Visitor;
- (iii) The Chancellor;
- (iv) The Pro-Chancellor;
- (v) The Vice-Chancellor;
- (vi) The Pro Vice-Chancellor;
- (vii) Deans of Faculties/Schools;
- (viii) The Registrar;
- (ix) The Registrar (Evaluation);
- (x) The Finance Officer; and
- (xi) Such other officers as may be declared by the Statutes to be the officers of the University.

**13. The Visitor.**-(1) The Honorable Governor of Karnataka shall be the Visitor of the University and the visitor may offer suggestions for the improvement of the functioning of the University;

(2) The Visitor shall preside over the convocation of the University for conferring degrees and diplomas; and

(3) The Visitor shall have the following powers:

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

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

(2) The Pro-visitor shall, when the Visitor is absent, preside at the Convocation of the University for Conferring Degree and diplomas.

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

(2) The Chancellor must be an eminent personality who has made significant contribution to the society;

(3) The term of the office of Chancellor shall be for a period of five years and can be renewed for a maximum of one more term;

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

- (i) to function as the head of the University;
- (ii) to preside at all convocations of the University in absence of the Visitor or pro-visitor;
- (iii) to function as a Chairperson of the Board of Governors of the University;
- (iv) to appoint or re-appoint or terminate the appointment of the Vice-Chancellor, in accordance with the provisions of this Act and the Statutes;
- (v) to pre-approve the appointment of the Pro Vice-Chancellor(s), the Dean(s), the Registrar, the Registrar (Evaluation) and the Finance Officer;
- (vi) to constitute the first Board of Management, the Academic Council, the Research and Innovation Council, the Finance Committee, and the Estate and Works Committee;
- (vii) to nominate such members to such bodies of the University as specified in this Act or the Statutes made thereunder; and
- (viii) to resolve a conflict (excluding conflicts at a meeting of the Board of Governors) in the manner provided in this Act.
- (ix) to pre approve the Agenda matters in the manner provided for in the Act;

(5) In the event of there being a conflict amongst the officers or body and any other officers or body of the University, then the issue shall be referred to the Chancellor and the decision of the Chancellor in respect of such issue shall be final and binding on the University.

**16. The Pro Chancellor.**-(1) The Pro-Chancellor may be appointed by the Sponsoring Body for a term specified by the Sponsoring Body subject to other terms and conditions as may be laid down in the statutes.

(2) The Pro-Chancellor shall exercise all powers of the Chancellor in his absence and shall be assigned any additional duties with prior written approval of the Chancellor.

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

**17. The Vice-Chancellor.**-(1) The Vice-Chancellor shall be appointed by the Chancellor for a term of five years subject to other terms and conditions as may be laid down by the Statutes;

(2) The Vice-Chancellor shall be appointed from among three persons recommended by the Search cum Selection Committee constituted in accordance with the provisions of sec 49;

(3) The term of the Vice-Chancellor shall be for five years, which is renewable for a maximum of another term;

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

(4) The Search cum Selection Committee referred to in sub-section (2) shall consist of the following persons, namely:-

(i) One eminent person nominated by the Sponsoring Body; and

(ii) Two persons of repute as nominees of the Board of Governors, one of whom shall be nominated as the Convener of the Committee.

(5) The Search cum Selection Committee shall, on the basis of merit, recommend three persons suitable to hold the office of the Vice-Chancellor and forward the same to the Chancellor. The Chancellor shall choose one among the three and appoint that person as the Vice-Chancellor.

(6) The Chancellor shall send back the above list to the Search cum Selection Committee for reconsideration.

(7) The Vice-Chancellor shall be the Principal Executive and Academic Officer of the University and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of the authorities of the University:

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

Provided further that, the Vice Chancellor may appoint a teacher or any other officer of the University for a maximum period of one year and forward for ratification by the concerned authority as per the procedures laid down in the Statutes.

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

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

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

(10) The Vice-Chancellor shall preside at the Convocation of the University in the absence of the Visitor, Pro-Visitor the Chancellor and the Pro-Chancellor.

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

**19. Deans of Faculties or Schools.-** Deans of Faculties or Schools shall be appointed by the Vice-Chancellor with the written approval of the Chancellor in such manner and they shall exercise such powers and perform such duties as may be laid down by the Statutes and as directed by the Vice Chancellor from time to time.

**20. The Registrar.-** (1) The Registrar shall be appointed by the Vice-Chancellor with the written approval of the Chancellor in such manner and on such terms and conditions as may be laid down by the Statutes and as directed by the Vice Chancellor from time to time;

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

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

(4) The Registrar shall be responsible for the due custody of all therecords and the common seal of the University and shall place before the Chancellor, the Vice-Chancellor or any other authority all such information and documents as requested;

(5) The Registrar is authorized to sue or to be sued on behalf of the University;

**21. The Registrar (Evaluation).-** (1) The Registrar (Evaluation) shall be responsible for conducting all assessments, evaluation of the students of the

University required towards the attainment of degree or diploma or certificate and other related activities in accordance with the Statutes of the University;

(2) The Registrar (Evaluation) shall be custodian of the records, documents etc pertaining to the evaluation or assessments and examination;

**22. The Finance Officer.**-(1) The Chancellor shall appoint the Finance Officer of the University on the recommendation of the Vice Chancellor on such conditions and terms provided in the statutes. The Finance Officer shall exercise all such powers and perform such duties as may be conferred by the Statutes and/ or as directed by the Vice-Chancellor from time to time.

(2) The Financial Officer shall be responsible for carrying out all the activities related to the financial and its regulatory activities of the University.

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

## CHAPTER – IV

### AUTHORITIES OF THE UNIVERSITY

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

- (i) The Court;
- (ii) The Board of Governors;
- (iii) The Board of Management;
- (iv) The Academic Council;
- (v) The Research and Innovation Council;
- (vi) The Finance Committee;
- (vii) Estates and Works Committee; and
- (viii) Such other authorities as may be declared by the Statutes to be the authorities of the University

**25. The Court.**- (1) The Chairman of the Court shall be nominated or invited by the Sponsoring Body who shall be a person of eminence.

(2) The membership of Court, their tenure and such other conditions shall be as specified in the Statutes of the University.

(3) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:-

- (a) to consider and give suggestions to Board of Governors on the Institution Development Plan (IDP) and the Annual Report of the University; and
- (b) to perform such other functions as may be provided for by the Statutes.

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

- (i) The Chancellor - Chairperson;
- (ii) The Pro-Chancellor - Member;
- (iii) The Vice-Chancellor - Member;
- (iv) The Principal Secretary or Secretary to the State Government in the Higher Education, Medical Education or his nominee not below the rank of Deputy Secretary - Ex-officio Member;
- (v) One expert from industry or from the field of management, finance or any other specialized field, including administration to be nominated by the Sponsoring body - Member;
- (vi) Five eminent persons, nominated by the Sponsoring body – Members
- (vii) The Pro Vice-Chancellor (s) who shall be non-voting member; and
- (viii) One eminent educationist nominated by University Grants Commission – Member.

(2) The Registrar shall be a non-voting Secretary of the Board of Governors;

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

(4) All meetings of the Board of Governors shall always be chaired by the Chancellor and in his absence by any one of the nominees of the Chancellor. If Chancellor has not nominated any person to preside any meeting, members present in the meeting shall elect the person who shall preside that meeting only from among themselves by a simple majority;

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

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

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

- (i) to lay down policies to be pursued by the University;
- (ii) to review decisions of the other authorities of the University if they are not in conformity with the provisions of this Act, or the Statutes or the Rules; or the Ordinances;
- (iii) to approve the Budget and Annual Report of the University;
- (iv) to make new or additional Statutes or amend or repeal the earlier Statutes, Rules and Ordinances;
- (v) to recommend voluntary winding up of the University to the Sponsoring body;



- (vi) to approve proposals for submission to the Government;
- (vii) to nominate members to the Authorities and Committees as provided for in the Act and Statutes;
- (viii) to appoint the Statutory Auditors of the University; and
- (ix) to take such decisions and steps as are found desirable for effectively carrying out the objects of the University.

(7) The Board of Governors shall meet at least four times a year or as many times as may be required.

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

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

- (i) The Vice Chancellor
- (ii) The Pro-Vice Chancellor (s);
- (iii) The Registrar;
- (iv) Two nominees of the Sponsoring Body; and
- (v) Two Deans of the faculties or Schools as nominated by the Vice-Chancellor.

(2) The Vice Chancellor shall be the Chairperson of the Board of Management and the Registrar shall be the Secretary of the Board of Management.

(3) The powers and functions of the Board of Management shall be such as may be specified by the Board of Governors;

(4) The minutes of the meetings of Board of Management shall be presented to the Board of Governors for ratification;

(5) All meetings of the Boards of Management shall always be chaired by the Vice Chancellor and in the absence of the Vice Chancellor, by the nominee of the Sponsoring Body and where the Sponsoring Body has not nominated any nominees, then by any other member as elected by the members present;

(6) In the event of a conflict of opinion at a meeting of the Board of Management, the issue shall be referred to the Chancellor and the decision of the Chancellor in respect of such issue shall be final and binding on the University.

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

- (i) The Vice-Chancellor – Chairperson;
- (ii) The Pro Vice Chancellor(s) – Member;
- (iii) The Registrar – Secretary.
- (iv) Such other members as may be specified by the Statutes from time to time.

(2) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes, Regulations and the Rules, coordinate and exercise general supervision over the academic policies of the University.

**29. The Research and Innovation Council.**-(1) The Research and Innovation Council shall consist of the following, namely:-

- (i) The Vice- Chancellor – Chairperson;
- (ii) The Pro Vice-Chancellor (s) – Member (s);
- (iii) The Dean of Research – Secretary;
- (iv) Deans of all Faculties/Schools – Members; and
- (v) Such other members as may be specified in the Statutes from time to time.

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

(3) The Research and Innovation Council shall also coordinate, promote and supervise activities of the University related to incubation and entrepreneurship.

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

- (i) The Vice-chancellor – Chairperson;
- (ii) One nominee of the Chancellor from among the members of the Board of Governors;
- (iii) The Registrar – Member;
- (iv) One nominee of the Sponsoring Body – Member;
- (v) The Finance Officer - Secretary; and
- (vi) Such other members as may be specified in the Statutes from time to time

(2) The Finance Committee shall be the principal financial body of the University to take care of all financial matters and shall, subject to the provisions of this Act, Rules and Statutes co-ordinate and exercise general supervision and control over the financial operations of the University.

**31. Estates and Works Committee.**-(1) The Estate and Works Committee shall consist of the following, namely:

- (i) The Vice Chancellor – Chairperson;
- (i) Two members nominated by the Sponsoring Body;
- (ii) One expert nominated by the Board of Governors;
- (iii) The Registrar – Member;
- (iv) The Finance Officer – Member;
- (v) The Estate Officer – Secretary; and
- (vi) Such other members as may be specified in the Statutes from time to time.

(2) The Estate and Works Committee shall be the body responsible for all the major and minor constructions and maintenance of the buildings and the infrastructure facilities of the University, subject to the provisions of this Act, Rules and Statutes co-ordinate and exercise general supervision and control over such activities of the University.

**32. Other Authorities.-** The constitution, powers and functions of the other authorities of the University shall be such as may be specified by the Statutes.

**33. Disqualification of membership of an Authority or Body.-** A person shall be disqualified for being a member of any of the authorities or bodies of the University, if he,-

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

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

**35. Provisions pertaining to Agenda Matters.-**(1) No Agenda Matter shall be either included in the Agenda for or taken up for discussion and decided in the meeting of the Board of Governors or the Board of Management or any Committees without obtaining the prior written approval of the Chancellor.

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

**36. The Ombudsman.-** (1) The Sponsoring Body shall nominate an outstanding person as an Ombudsman for the University to overview the operations of the University through a suitable feedback mechanism. The Ombudsman shall ensure the efforts of the University towards the key values of integrity, impartiality, transparency, equity and justice.

(2) The functions and the term of office of the Ombudsman shall be such as specified in the statutes.

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**Chapter -V**  
**STATUTES, REGULATIONS AND ORDINANCES**

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

- (i) the procedure for transaction of business of the Authorities of the University and the composition of bodies not specified in this Act;
- (ii) the operation of the Permanent Statutory Endowment fund, University Endowment fund, the General fund and the Development fund under section 53;
- (iii) the terms and conditions of appointment of the Vice-Chancellor, Pro Vice Chancellor (s), the Registrar, the Registrar (Evaluation), the Finance Officer and the Estate Officer and their powers and functions;
- (iv) the mode of recruitment and the terms and conditions of service of the other officers, Teachers and employees of the University;
- (v) the procedure for resolving disputes between the University and its officers, Faculty members, employees and students;
- (vi) creation, abolition or restructuring of departments and faculties or Schools;
- (vii) the manner of co-operation with other Universities or institutions of higher learning;
- (viii) the procedure for conferment of honorary degrees;
- (ix) provisions regarding grant of freeships and scholarships;
- (x) policy relating to the fee chargeable from students for various courses of studies;
- (xi) institution of fellowships, scholarships, studentships, freeships, medals and prizes;
- (xii) procedure for creation and abolition of posts;
- (xiii) other matters which may be specified.

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

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

(3) The University shall publish the First Statutes, as approved by the Board of Governors in the University Notification, and thereafter, the First Statutes shall come into force from the date of its publication.

**39. Power to amend Statutes.-** The Board of Governors may, make new or additional Statutes or amend or repeal the Statutes which are not repugnant to the provisions of this Act.

**40. Regulations.-** Subject to the provisions of this Act and the Statutes, the Regulations may provide for any matter relating to the University, and staff, etc., such as,-

- (i) admission of students to the University and their enrolment and continuance as such;

- (ii) the courses of study to be laid down for all degrees and other academic distinctions of the University;
- (iii) policies in respect of seats in different courses of studies and the procedure of admission of students to such courses;
- (iv) the award of degrees and other academic distinctions;
- (v) the conditions of the award of fellowships, scholarships, studentships, medals and prizes;
- (vi) the conduct of examinations and the conditions and mode of appointment and duties of examining bodies, examiners invigilators, tabulators and moderators;
- (vii) the fee to be charged for admission to the examinations, degrees and other academic distinctions of the University;
- (viii) the conditions of residence of the students at the University or a Constituent College;
- (ix) maintenance of discipline among the students of the University or a Constituent College;

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

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

**43. Ordinances.-** The Ordinances can be made, amended, repealed by the Board of Management of the University to be subsequently ratified by the Board of Governors.

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

(2) In respect of other seats of the University, the fee shall be determined by the Fee Regulatory Committee constituted by the Board of Governors which shall consist of the Principal Secretary/ Secretary to Government incharge of Higher Education or his nominee as a member and a retired High Court Judge, as Chairman of the committee, and three other members nominated by the Board of Governors.

**45. Conditions of service of employees.-**(1) Every employee shall be appointed under a written contract subject to such terms and conditions as may be specified by statutes and regulations or specified if any by rules which shall be kept in the University and a copy of which shall be furnished to the employee concerned.

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

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

**46. Right to appeal.-** In case of disciplinary actions by the University against its employee or student, the aggrieved employee or student shall have a right to appeal to such authority as specified by the Statutes.

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

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

**49. Constitution of Committees.-** Any authority of the University mentioned in section 24, shall be empowered to constitute a committee of such authority, consisting of such members of such authority and having such powers as the authority may deem fit.

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

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

**52. Transitional Provisions.-** Notwithstanding anything contained in any other provisions of this Act and the Statutes,-

- (i) the first Vice-Chancellor and Pro-Vice-Chancellor(s), if any shall be appointed by the Chancellor;
- (ii) the first Registrar, the first Registrar (Evaluation) and the first Finance Officer shall be appointed by the Chancellor; and
- (iii) the first Board of Management, the first Academic Council, the first Innovation and Research Council, the first Finance Committee and the first Estate and Works Committee shall be constituted by the Chancellor.

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

Provided that, in case of a University outside Bengaluru or Bengaluru rural District, at least ten crores must be in form of cash and the remaining five crores shall be in form of Bank Guarantee.

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

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

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

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

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

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

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

(5) Eighty percent of the incomes received from the University Endowment Fund shall be used for the purposes of development or general work of the University. The remaining twenty percent shall be reinvested into the University Endowment Fund.

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

- (i) all fees which may be charged by the University;
- (ii) all sums received from any other source not prohibited by any law for the time being in force;
- (iii) all contributions made to the University; and
- (iv) all contributions or donations made in this behalf by any other person or body which are not prohibited by any law for the time being in force.

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

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

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

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

**57. Any other fund.**- The University may establish any other fund as determined by the Board of Governors and approved functionalities and operations of these funds by the Board of Governors.

**58. Maintenance of funds.**- The funds established under sections 53, 54, 55, 56 and 57 shall be subject to general supervision and control of the Board of Governors, be regulated and maintained in such manner as provided in the statutes.

**59. Annual Report.**-(1) The Annual Report of the University shall be prepared under the direction of the Board of Management and shall be submitted to the Court for its suggestions.

(2) The Board of Governors shall consider the annual report along with the suggestions of the Court in its meeting and approve the same with or without modification; and

(3) A copy of the annual report duly approved by the Board of Governors shall be sent to the Visitor and the State Government before 31st December following close of the financial year in March of each year.

**60. Account and Audit.**-(1) The annual accounts and balance sheet of the University shall be prepared under the direction of the Board of Management and all funds accruing to or received by the University from all sources and all amount disbursed or paid shall be entered in the account maintained by the University.

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

(3) A copy of the annual accounts and the balance sheet together with the audit report shall be submitted to the Board of Governors before 30th November following close of the financial year on 31st March of each year.

(4) The annual accounts, the balance sheet and the audit report shall be considered by the Board of Governors at its meeting and the Board of Governors shall forward the same to the visitor and the Government along with its observation thereon on or before 31st December of each year.



(5) In the event of any material alteration in the Report of the Auditors, the Chancellor may issue directions to the University, to rectify the alterations and such directions shall be binding on the University.

**61. Mode of proof of University record.-** A copy of any receipt, application, email communication, notice, order, proceeding or resolution of any authority or committee of the University or other documents in possession of the University or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as prima facie evidence of such receipt, application, notice, order, proceeding, resolution or document or the existence of entry in the register and shall be admitted as evidence of the matters and transaction therein recorded where the original thereof would, if produced, have been admissible in evidence.

**62. Power of State Government to issue direction.-** The state Government may give such directions to the University as in its opinion are necessary or expedient for carrying out the purpose of this Act or to give effect to any of the provisions contained therein or of any rules or orders made there under and the Board of Governors or the Board of Management, as the case may be, of the University shall comply with every such direction.

**63. Penalties.-**(1) Whoever contravenes the provisions of this Act or the rules made thereunder or any examinations matters or in matters relating to award of degree or in giving marks cards shall on conviction be punishable with fine of not less than rupees fifty thousand which may extend to ten lakhs rupees or with an imprisonment for a term of not less than six months which may extend to two years or with both;

Provided that, where the University is also involved in committing the offence the permission letter granted under this Act to commence the University shall be withdrawn.

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

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

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

(2) The Karnataka State the Higher Education Council shall conduct periodical Inspection of University regarding,-

- (i) standard of Instructions for grant of degree;
- (ii) quality of Education;
- (iii) avoidance of commercialization of Higher Education; and

- (iv) contravention of the provisions of the Act, if any; - and send report to the Government.

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

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

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

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

**66. Expenditure of the University during dissolution.**-(1) The expenditure of administration of the University during taking over period of its management under sub-section (5) of section 65 shall be met out of the Permanent Statutory Endowment Fund, the General Fund or the Development Fund in such manner as may be specified in the Act.

(2) If the fund referred to in sections 53, 54, 55, 56 and 57 are not sufficient to meet the expenditure of the University during the taking over period of its management, such expenditure may be met by disposing of the properties or asset of the University, by the Government.

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

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

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

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

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

(2) Every rule made under this Act shall be laid as soon, as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following

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the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

### **STATEMENT OF OBJECTS AND REASONS**

Centre for Educational and Social Studies (R) Society Bengaluru, has come forward to establish private University in the State. The establishment of a private university by a well-known organization would certainly help in spreading the quality education to the needy students. This also accelerates the enhancement of gross enrolment ratio in the higher education sector.

Keeping in view the above, it is considered necessary to provide for establishment of a private University in the name of Centre for Educational and Social Studies (R) Society Bengaluru.

This private university focuses on teaching, training, research and development in the fields of in Sciences, Engineering and Technology, Arts, Humanities, Social Sciences, Commerce, Management, Medicine, Health Sciences, Pharmacy, etc., and allied sectors and for the matters connected therewith or incidental thereto.

Hence, the Bill.

### **FINANCIAL MEMORANDUM**

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

## MEMORANDUM REGARDING DELEGATED LEGISLATION

<b>Clause 53:</b>	Sub-clause (2), empowers the State Government to prescribe by rules the manner of investing permanent statutory Endowment Fund.
<b>Clause 65:</b>	Sub-clause (3), empowers the State Government to prescribe by rules the time within which the management shall follow the direction issued by the Government. Sub-clause (4) empowers the State Government to make rules regarding the manner of winding up of the university or any course thereof.
<b>Clause 68:</b>	Sub-clause (1), empowers the State Government to make rules for carrying out the purposes of the Act.

The proposed delegation of Legislative power is normal in character.

**DR. ASHWATH NARAYAN C.N**  
Minister for Higher Education  
IT & BT, Science and Technology,  
Skill Development

**M.K. VISHALAKSHI**  
Secretary (I/c)  
Karnataka Legislative Assembly