

Kannur University Act, 1996

KERALA

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Act 22 of 1996

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Kannur University Act, 1996(Act No. 22 of 1996)Last Updated 19th December, 2019An Act to establish and incorporate University of Kannur by the name Kannur University.Preamble. - Whereas it is considered necessary to establish a teaching, residential and affiliating University in the State of Kerala to provide for the development of higher education in the Kasaragod and Kannur revenue districts and the Mananthavady taluk of the Wayanad district in the State which are lagging in the field of higher education;Be it enacted in the Forty-seventh Year of the Republic of India as follows:-

Chapter I Preliminary

1. Short title and commencement.

(1)This Act may be called the Kannur University Act, 1996.(2)It shall be deemed to have come into force on the 9th day of November 1995.

2. Definitions.

- In this Act, unless the context otherwise requires,-(i)"Academic Council" means the Academic Council of the University;(ii)"affiliated college" means a college affiliated to the University in accordance with the provisions of this Act and the Statutes and in which instruction is provided in accordance with the provisions of the statutes, Ordinances and Regulations;(iii)"annual meeting" means one of the ordinary meetings of the Senate held every year under sub-section (1) of section 22 and declared by the Statutes to be the annual meeting of the Senate;(iv)"Appellate Tribunal" means the Appellate Tribunal constituted under sub-section (1) of section 72;(v)"Board of Studies" means a Board of Studies of the University;(vi)"Chancellor" means the Chancellor of the University;(vii)"college" means an institution maintained by, or affiliated to the University in which

instruction is given in accordance with the provisions of the Statutes, Ordinances and Regulations;(viii)"department" means a department designated as such by the Ordinances or Regulations with reference to a subject or group of subjects;(ix)"educational agency" means any person or body of persons who or which establishes and maintains a private college or more than one private college;(x)"faculty" means a faculty of the University;(xi)"Government college" means a college maintained by the Government and affiliated to the University;(xii)"hostel" means a unit of residence for the students of the University or the colleges;(xiii)"non-teaching staff" of the University or a college means the employees of the University or that college, as the case may be, other than teachers;(xiv)"prescribed" means prescribed by the Statutes, Ordinances, Regulations, rules or bye-laws made under this Act;(xv)"principal" means the head of a college;(xvi)"private college" means a college maintained by an educational agency other than the Government or the University and affiliated to the University;(xvii)"Pro-Chancellor" means the Pro-Chancellor of the University;(xviii)"professional college" means a college in which instruction is given only in any one or more of the following subjects, namely:-• engineering and technology;• public administration;• allopathic medicine and paramedical subjects;• dental medicine;• ayurvedic medicine• homoeopathic medicine;• law;• educational studies;• imaging technology;• fashion technology and beauty culture;• biotechnology;• hotel management;• management studies;• forest and wood technology;• opto electronics;• industrial fisheries;• textile technology;• visual arts;• music;• pharmacological studies;• ceramic technology;• environmental studies;• computer science;• marine technology; and• any other subject to promote advanced knowledge in modern science and technology which the University may deem fit to include in its educational programme.(xix)"Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University;(xx)"recognised institution" means an institution for research or special studies, other than an affiliated college, recognised as such by the University;((xxi) *****)(xxii)"Senate" means the Senate of the University;(xxiii)"State" means the State of Kerala ;(xxiv)"Statutes" , "Ordinances" , "Regulations" , "bye-law" , and "rules" means, respectively, the Statutes, Ordinances, Regulations, bye-laws and rules of the University;(xxv)"student" means a part-time or full-time student receiving instruction or carrying on research in any of the University departments, colleges or recognised institutions;(xxvi)"Students' Council" means the Students' Council of the University;(xxvii)"Syndicate" means the Syndicate of the University;(xxviii)"teacher" means a principal, professor, associate professor assistant professor, reader, lecturer, instructor or such other person imparting instruction or supervising research in any of the colleges or recognised institutions and whose appointment has been approved by the University;(xxix)"teacher of the University" means a person employed as teacher in any institution maintained by the University:[(xxix A) 'Un-aided college' means a private college which is not entitled to any financial assistance from the Government or the University] [Inserted by Act No. 14 of 2001.].(xxx)"University" means the Kannur University constituted under this Act;(xxxi)"University area" means the area to which the jurisdiction of the University extends under sub-section (1) of section 4;(xxxii)"University Fund" means the Kannur University Fund established under subsection (1) of section 48;(xxxiii)"Vice-Chancellor" means the Vice-Chancellor of the University.

Chapter II

The University

3. The University.

(1)The Chancellor, the Pro-Chancellor, the Vice-chancellor, the Pro-vice-Chancellor and the members of the Senate, the Syndicate and the Academic Council, for the time being, shall constitute a body corporate by the name of the " Kannur University ".(2)The headquarters of the University shall be at Kannur.(3)The University shall have perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to enter into contracts and shall sue and be sued by the said name.(4)The University shall establish, maintain, manage and develop campuses at Kannur, Kasaragod, Mananthavady, Payyannur, Thalassery, Kanhangad and such other places as are necessary for providing study and research facilities to promote advanced knowledge in Science and Technology and other relevant disciplines and the campus in the University headquarters at Kannur shall be the main campus.

4. Territorial limits.

(1)The jurisdiction of the University shall extend to the Kasaragod and Kannur revenue districts and the existing Mananthavady taluk of the Wayanad district of the State.(2)No educational institution situated beyond the territorial limits of the University shall, save with the sanction of the Chancellor and the Government, be affiliated to the University, and no educational institution within the territorial limits of the University shall, save with the sanction of the Chancellor and the Government, seek or continue affiliation to any other University established by law.

5. Powers of the University.

- Subject to the provisions of this Act, the University shall have the following powers, namely:-(i)to provide for instruction and training in such branches of learning as the University may deem fit and to make provision for research and for the advancement and dissemination of knowledge;((ia) to confer academic autonomy to an affiliated college, department of an affiliated college or university department.)(ii)to introduce semester and credit system of courses of study and examinations;(iii)to institute degrees, titles, diplomas and other academic distinctions;(iv)to hold examinations and to confer degrees and other academic distinctions on persons who-(a)shall have pursued a prescribed course of study in a college under the University, unless exempted therefrom in the manner prescribed, and shall have passed the prescribed examination; or(b)shall have carried on research under prescribed conditions and which has been duly evaluated;(v)to confer honorary degrees or other distinctions on distinguished persons in accordance with the conditions to be prescribed in the Statutes;(vi)to grant diplomas, certificates or other distinctions to persons who shall have pursued a prescribed course of study under prescribed conditions;(vii)to withdraw or cancel degrees, titles, diplomas, certificates or other distinctions under conditions that may be prescribed by the Statutes, after giving the person affected a reasonable opportunity to present this case;(viii)to maintain, supervise and control the residence and discipline of students of the University, campuses, colleges

and recognised institutions and to make arrangements for promoting their health and general welfare;(ix)to recognise hostels which are maintained by bodies other than the University and to withdraw such recognition;(x)to exercise such control over the students as will ensure their physical and moral wellbeing;(xi)to constitute a Board to entertain, to adjudicate upon and to redress any grievances of the students of colleges, who may, for any reason, be aggrieved, otherwise than by an act of any court;((xi a) to fix the minimum infrastructural facilities that shall be provided in an unaided college.)(xi b) to fix the qualification of teachers and non-teaching staff of an un-aided college)(xii)to fix the fees payable to the University and to demand and receive such fees;(xiii)to fix and regulate, with the previous sanction of the Government the fees payable in colleges and recognised institutions affiliated to the University;(xiv)with the previous sanction of the Government, to regulate the emoluments and to prescribe the duties and conditions of service of teachers and on-teaching staff in private colleges;(xv)to hold and manage endowments and bursaries and to institute and award fellowships, scholarships, studentships, medals and prizes and to organize exhibitions;(xvi)to institute and provide funds wherever necessary for the maintenance of-

- a Student's Advisory Bureau;
- an Employment Bureau;
- a University Union for students;
- University Athletic Clubs
- the National Cadet Corps;
- the National Service Scheme;
- University Extension Board;
- Student's Cultural and Debating Societies;
- a Translation and Publication Bureau;
- Red Cross; and
- Co-operative societies and other similar institutions for promoting the welfare of students and employees of the University;

(xvii)to co-operate with other Universities or any authorities or associations in such manner and for such purposes as the University may determine;(xviii)to take and hold any property, movable, or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary dispositon or otherwise and to grant, demise, alienate or otherwise dispose of all or any of the properties belonging to the University and also to do all other acts incidental or appertaining to a body corporate;(xix)to direct, manage and control all immovable and movable properties transferred to the University by the Government;(xx)to co-ordinate, supervise, regulate and control the conduct of teaching and research work in the affiliated colleges and the institutions recognised by the University;(xxi)to define the powers and duties of the officers of the University other than the Vice- Chancellor;(xxii)to provide for the inspection of affiliated colleges and to issue such directions as the University may deem fit;(xxiii)to establish, maintain and manage campuses, colleges, institutes of research and other institutions of higher studies;(xxiv)to affiliate to itself colleges in accordance with the provisions of this Act and the Statues, Ordinances and Regulations and to suspend or withdraw affiliation of colleges;(xxv)to institute professorships, readerships, lectureships and any other teaching and research posts required by the University and to appoint persons to such professorships, readerships, lectureships and other reaching and research posts;(xxvi)to establish, maintain and manage hostels;(xxvii)with the previous sanction of the Government as regards the purpose and amount of loan and subject to such conditions as may be specified by the Government as to security and rate of interest, to borrow any sum of money from the Central Government or any State Government or any incorporated body;(xxviii)to provide instruction through correspondence courses and distance education programmes;(xxix)to declare a campus, college or department as an autonomous campus, college or department, respectively; and(xxx)to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the University as a teaching and examining body and to cultivate and promote arts, science and other branches of learning.

6. University open to all classes and creeds.

(1) No person shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence, language, political opinion or any of them, be ineligible for, or discriminated against, in respect of any employment or office under the University or membership of any of the authorities or bodies of the University or admission to any degree or course of study in the University: Provided that the University may, in consultation with the Government affiliate any college or recognise any institution, exclusively for women either for education, instruction or residence, or reserve for women or members of socially and educationally backward classes or of the Scheduled Castes or the Scheduled Tribes, places, for the purpose of admission as students in any college or institution maintained or controlled by the University and for employment in the teaching and non-teaching posts in the University. (2) In making appointments to the teaching and non-teaching posts, the University shall, mutatis-mutandis, observe the provisions of clauses of (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category wise treating all the departments as one unit.

Chapter III

The Chancellor, The Pro-Chancellor and Officers of the University

7. The Chancellor.

(1) The Governor of Kerala 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 any convocation of the University. (3) The Chancellor may, by order in writing, annul any proceeding of any of the authorities of the University which is not in conformity with this Act and the Statutes, the Ordinances, the Regulations, the Rules or the bye-laws: Provided that, before making any such order, the Chancellor shall call upon such authority to show cause why such an order should not be made and consider the cause, if any, shown by such authority within a reasonable time. (4) The Chancellor shall, when an emergency arises, have the right to suspend or dismiss any of the authorities of the University and to take measures for the exercise of the powers and the performance of the functions of such authority till the suspension is revoked, or, as the case may be, a new authority is constituted: Provided that an order suspending or dismissing any authority shall specify the reasons for taking such action. (5) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor. (6) An appeal shall lie to the Chancellor against any order of dismissal passed by the Syndicate or the Vice-Chancellor against any person in the service of the University. (7) An appeal under sub-section (6) shall be filed within sixty days from the date of service of the order of dismissal on the person concerned. (8) The Chancellor may, before passing any order on an appeal under sub-section (6), refer the matter for advice to a Tribunal appointed by him for the purpose. (9) The Chancellor shall have power to remove the Vice-Chancellor or the Pro-Vice-Chancellor from office by an order in writing on charges of misappropriation or

mismanagement of funds or misbehaviour: Provided that an order of removal under this sub-section shall not be passed unless the charges are proved by an enquiry conducted by a person who is or has been a Judge of the High Court or the Supreme Court appointed by the Chancellor for the purpose: Provided further that the Vice-Chancellor or the Pro-Vice-Chancellor shall not be removed under this sub-section unless he has been given a reasonable opportunity of showing cause and of being heard against the action proposed to be taken against him. (10) The Chancellor shall have power to appoint such officers and employees of the University as may be necessary for ensuring the initial functioning of the University: Provided that the power under this sub-section shall not be exercised by the chancellor after nomination of the Syndicate under section 95. (11) The Chancellor shall have such other powers as may be conferred on him by this Act or the Statutes.

8. The Pro-Chancellor.

(1) The Minister for the time being administering the subject of higher education in the State shall be the Pro-Chancellor of the University. (2) In the absence of the Chancellor or during his inability to act, the Pro-Chancellor shall exercise all the powers and perform all the functions of the Chancellor.

9. Officers of the University.

- The following shall be the officers of the University, namely:-(i) the Vice-Chancellor; (ii) the Pro-Vice-Chancellor; (iii) the Registrar; (iv) the Controller of Examinations; (v) the Finance Officer; and (vi) such other officers in the service of the University as may be declared by the Statutes to be officers of the University.

10. The vice-Chancellor.

(1) The vice-chancellor shall be appointed by the Chancellor on the recommendation of a committee appointed by him for the purpose (hereinafter referred to as the committee). (2) The committee shall consist of three members, one elected by the Senate, one nominated by the Chairman of the University Grants Commission and the third nominated by the chancellor. (3) The Chancellor shall appoint one of the members of the committee to be its convener. (4) The committee shall make its recommendation within a period of three months of its appointment or within such further period, not exceeding one month, as the Chancellor may specify in this behalf. (5) In case the committee unanimously recommends the name of only one person, the Chancellor shall appoint that person to be the Vice-Chancellor. (6) In the case the committee is unable to recommend a name unanimously, it may submit a panel of three names to the Chancellor within the period specified in or under sub-section (4) and the Chancellor shall appoint one of the persons in the panel to be the Vice-chancellor. (7) In case the committee fails to make a unanimous recommendation as provided in sub-section (5) or to submit a panel as provided in sub-section (6), each member of the committee may submit a panel of three names to the chancellor and the Vice-Chancellor shall be appointed from among the persons mentioned in the panels. (8) Non-submission of a panel under sub-section (7) by any member of the committee shall not invalidate the appointment of the Vice-Chancellor. (9) No person who is more than sixty years of age shall be appointed as Vice-chancellor. (10) The Vice-Chancellor shall, hold office for a term of four years from the date on

which he enters upon his office and shall be eligible for re-appointment. Provided that a person shall not be appointed as Vice-Chancellor for more than two terms. (11) The remuneration payable to and the other conditions of service of, the Vice-chancellor shall be such as may be determined by the Chancellor in accordance with the guidelines issued by the University Grants Commission in this regard, from time to time. (12) The Vice-Chancellor shall be the principal academic and executive officer of the University. (13) The Vice-chancellor shall be the Chairman of the Senate, the Syndicate, the Academic council and the Finance Committee and shall be entitled to be present at and to address any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned. (14) In the event of equality of votes at any meeting of the Senate, the Syndicate or the Academic Council or of any other authority, at which the Vice-chancellor is the Chairman, he shall have and exercise a casting vote.

11. Powers and duties of the Vice-Chancellor.

(1) If at any time, except when the Syndicate or the Academic Council is in session, the Vice-Chancellor is satisfied that emergency has arisen requiring him to take immediate action involving the exercise of any power vested in the Syndicate or the Academic Council by or under this Act, the Vice-Chancellor may take such action as he deems fit and shall, at the next session of the Syndicate or the Academic Council, as the case may be, report the action taken by him to that authority for such action as it may consider necessary. (2) The Vice-Chancellor shall exercise the powers and perform the duties and functions of all the authorities of the University also until they are nominated or duly constituted, as the case may be. (3) Subject to the provisions of the Statutes and the Ordinance, the Vice-Chancellor shall have power to appoint, suspend, dismiss or otherwise punish any employee of the University below the rank of Deputy Registrar: Provided that the Vice-Chancellor may delegate any of his powers under this sub-section to the Pro-Vice-Chancellor or the Registrar. (4) Notwithstanding anything contained in sub-section (3), the Vice-Chancellor shall have power to appoint such officers and employees of the University on a casual basis for a maximum period of 179 days, for ensuring the initial functioning of the University: Provided that a person appointed under this sub-section shall not have any claim for appointment on a regular basis: Provided further that the power under this sub-section shall not be exercised by the Vice-chancellor after nomination of the Syndicate under section 95. (5) The Vice-chancellor shall have the power to convene meetings of the Senate, the Syndicate, the Academic Council and any other authorities of the University. (6) Notwithstanding anything contained in this Act or in the Statutes or Ordinances made or deemed to have been made thereunder, the Vice-Chancellor may, if he is satisfied that the number of examiners in the panel of examiners approved by the Syndicate for the conduct of an examination is not sufficient for the conduct of that examination and that approval of another panel of examiners by the Syndicate will entail delay in the conduct of such examination, nominate such additional number of examiners as may be necessary for the conduct of such examination. (7) Any person nominated by the Vice-Chancellor under sub-section (6) shall be deemed to be an examiner included in the panel approved by the Syndicate. (8) The Vice-Chancellor shall have the right of visiting and inspecting colleges and other institutions maintained by, or affiliated to, the University. (9) It shall be the duty of the Vice-chancellor to ensure that the provisions of this Act and the Statutes, the Ordinances, the Regulations, the rules and the bye-laws are faithfully observed and carried out; and he shall have all powers necessary for this

purpose.(10)It shall be the duty of the Vice-Chancellor or carry on the administration of the University in an efficient manner, by adopting modern techniques of management and by using computers and other sophisticated equipment.(11)It shall be the duty of the Vice-chancellor to see that the proceedings of the University are carried on in accordance with the provisions of this Act and the Statutes, the Ordinances, the Regulations, the rules and the bye-laws and to report to the Chancellor every proceeding which is not in conformity with such provisions.(12)The Vice-chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes.

12. Vacancy in the office of Vice-chancellor.

(1)In the event of a temporary vacancy occurring in the office of the Vice-Chancellor, or where the Vice-Chancellor is absent, the Pro-Vice-chancellor shall exercise the powers and perform the duties of the Vice- Chancellor.(2)In the event of a permanent vacancy occurring in the office of the Vice-chancellor, the Chancellor shall initiate action for the appointment of the Vice-chancellor, within one month of the occurrence of the vacancy and, pending such appointment, make necessary arrangements for exercising the powers and performing the duties of the Vice-Chancellor.

13. The Pro-Vice-Chancellor.

(1)The Pro-Vice-chancellor shall be appointed by the Chancellor in consultation with the Vice-chancellor.(2)No person who is more than [sixty] [Substituted 'fifty-six' by Act No. 12 of 2012.] years of age shall be appointed as Pro-Vice-chancellor.(3)The Pro-Vice-chancellor shall be a whole-time salaried office of the University(4)The Pro-Vice-chancellor shall hold office for a term of four years from the date on which he enters upon his office and shall be eligible for reappointment.(5)The salary and other conditions of service of the Pro-Vice-chancellor shall be such as may be determined by the Chancellor.(6)Subject to the provisions of this Act and the Statutes, Ordinances and Regulations, the powers and functions of the Pro-Vice-chancellor shall be determined by the chancellor in consultation with the Vice-chancellor.

14. The Registrar.

(1)The Registrar shall be a whole time salaried officer of the University and shall be appointed by the Syndicate for such period and on such terms and conditions as may be prescribed by the Statutes.(2)The Registrar shall exercise such powers and perform such duties as may be prescribed by the Statutes.(3)Suits by or against the University shall be instituted by or against the Registrar.

15. The Controller of Examinations.

(1)The Controller of Examinations shall be a whole time salaried officer of the University and shall be appointed by the Syndicate for such period and on such terms and conditions as may be prescribed by this Statutes.(2)The Controller of Examinations shall exercise such powers and perform such duties as may be prescribed by the Statutes.

16. Finance Officer.

(1)The finance Officer shall be a whole-time salaried officer of the University and shall be appointed by the Syndicate for such period and on such terms and conditions as may be prescribed by the Statutes.(2)The Finance Officer shall exercise such powers and perform such duties as prescribed by the Statutes.

17. Appointments to be notified.

- The appointments of the Vice-Chancellor, the Pro-Vice-chancellor, the Registrar, the Controller Examinations and the Finance Officer shall be notified by the University in the Gazette.

Chapter IV

Authorities of the University

18. Authorities of the University.

- The following shall be the authorities of the University, namely:-(i)the Senate;• the Syndicate;• the Academic Council;• the Faculties;• the Board of Studies;• the Student's Council;• the Finance Committee;• the Planning Board; and• such other board or other bodies of the University as may be declared by the Statutes to be authorities of the University.

19. Senate.

- The Senate shall consist of the following members, namely:-Ex-Officio members• the Chancellor(ii)[*****] [Omitted by Act No. 14 of 2001.]• the Vice-Chancellor;• the Pro-Vice-Chancellor;• the Finance Secretary to Government or an officer of the Finance Department, not below the rank of Joint Secretary to Government nominated by the Government;• the Director of Public Instruction;• the Director of Collegiate Education;• the Secretary to Government, General Education Department, or an officer of the General Education Department, not below the rank of Joint Secretary to Government, nominated by the Government;• the Secretary to Government, Higher Education Department, or an officer of the Higher Education Department, not below the rank of Joint Secretary to Government, nominated by the Government;[(ix a) The Secretary to Government, Information Technology Department or an officer of the Information Technology Department not below the rank of a Joint Secretary, nominated by him;] [Inserted by Act No. 14 of 2001.](x)the Director of Technical Education, Government of Kerala;(xi)the Director of Medical Education, Government of Kerala;(xii)two Heads of University departments who are not otherwise member of the Senate, nominated by the Chancellor, by rotation;(xiii)two Deans of the faculties of the University who are not otherwise members of the Senate, nominated by the Chancellor, by rotation;(xiv)the chairman of the University Union ;(xv)[The chairman, State Advisory Board of Education.] [Inserted by Act No. 14 of 2001.](xvi)[members of the Syndicate who are not members of the Senate]. [Inserted by Act No. 12 of 2012.]Elected members(i)four members

elected from among principals, of whom, one shall be a principal of a government college for arts and science, one shall be a principal of a private college for arts and science and one shall be a principal of a professional college;(ii)*****)(iii)four members elected by the members of the Legislative Assembly of Kerala from among themselves, of whom one shall be a member of a Scheduled Caste or a Scheduled Tribe and one shall be a woman;(iv)two members elected by the teachers of the University from among themselves;(v)three members elected by the teachers of Government colleges from among themselves;(vi)ten members elected by the teachers of private colleges from among themselves of whom three shall be women;(vii)president of a District panchayat elected by the members of the district Panchayats, President of a Block Panchayat, elected by the Presidents of the Block Panchayats, three Presidents of Grama Panchayats elected by the Presidents of the Grama Panchayats and Chairman of a Municipality elected by the Chairmen of the Municipalities, within the University area;.(viii)one member elected by the members of the non-teaching staff of the University from among themselves;(ix)two members elected by members of the non-teaching staff of the affiliated colleges from among themselves, of whom one shall be a member of the non-teaching staff of a Government college and the other shall be a member of the non-teaching staff of a private college;(x)one member elected by the managers of the private colleges in the University area from among themselves;(xi)ten members elected by the members of the General Council of the University Union from among full-time students, of whom one shall be a post-graduate student, one shall be a research scholar, one shall be a student of a professional college, two shall be lady students, and one shall be a member of a Scheduled Caste or a Scheduled Tribe;(xii)Two member elected by the registered trade unions within the jurisdiction of the University;(xiii)One member elected by the members of the State Library Council from among themselves.Other members(i)one member from among the headmasters of High Schools and one member from among the teachers of schools, situated within the University area; nominated by the Chancellor;(ii)not more than ten members nominated by the chancellor representing (a) recognised research institutions; (b) chambers of commerce and industries; (c) authors; (d) journalists; (e) lawyers; (f) sports and games; (g) linguistic minorities; (h) medical profession; and (i) engineering and technology;(iii)four members from among students nominated by the Chancellor, one having outstanding academic ability in humanities, one having outstanding academic ability in science, one having outstanding ability in sports and one having outstanding ability in fine arts of whom, one shall be a student of a campus or a University department and another shall be a students of an affiliated college.[***] [Omitted '(iv) Not more than four experts nominated by the Government from the fields of Information Technology and Bio-Technology.' by Act No. 12 of 2012.]

20. Reconstitution of Senate.

(1)The Senate shall be reconstituted every four years.(2)The term of office of a member referred to in items (xii) and (xiii) under the heading " ex-officio members " in section 19 shall be two years from the date of his nomination.(3)Every member of the Senate, other than ex-officio members, shall, subjects to the provisions of this Act and the Statutes, hold office until the next reconstitution of the Senate:Provided that no members nominated or elected in his capacity as a member of a particular body or as the holder of a particular office shall hold office for a longer period than three months after he has ceased to be such member or holder of such office, unless in the meanwhile he

again becomes a member of that body or the holder of that office: Provided further that where any member, other than an ex-officio member of the Senate, is appointed temporarily to any office, by virtue of which he is entitled to be a member of the Senate ex-officio, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate otherwise than as an ex-officio member or whether he will vacate office as such member and become a member ex-officio by virtue of his appointment, and such choice shall be final: Provided also that the term of office of a member referred to in item (xi) under the heading "Elected members" in section 19 and of a member referred to in item (iii) under the heading "Other members" in that section shall be one year from the date of his election or nomination, as the may be. Explanation. - For the removal of doubts, it is hereby clarified that a member referred to in the preceding proviso shall not cease to be such member solely on the ground that he has ceased to be a student within the period of one year specified in that proviso. (4) Notwithstanding anything contained in the first proviso to sub-section (3), a principal elected under item (i), or a teacher of a Government college elected under item (v), or a teacher of a private college elected under item (vi), or a member of the non-teaching staff of an affiliated college elected under item (ix), under the heading "Elected members" in section 19, shall not cease to be a member of the Senate merely on the ground- (a) that he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or (b) that the college of which he is the principal or in which he is a teacher or a member of the non-teaching staff has been transferred to another University; or (c) in the case of a teacher, that he has been promoted as a principal. (5) Notwithstanding anything contained in this Act or in the Statutes no person elected under item (i) under the heading "Elected members" in section 19, shall cease to be a member of the Senate merely on the ground that he has ceased to be employed or normally resident within the territorial limits of the University. (6) On failure of a member to make the choice under the second proviso to sub-section (3), he shall be deemed to have chosen to become a member, ex-officio. (7) When a person ceases to be a member of the Senate, he shall cease to be a member of any of the authorities of the University of which he may be a member by virtue of his membership in the Senate.

21. [Powers and functions of the Senate. [Substituted by Act No. 14 of 2001.]

- Save as otherwise expressly provided in this Act, the Senate shall have the following powers, namely:- (a) to review, from time to time, the board policies and programmes of the University; (b) to suggest measures for the improvement and development of the University; (c) to consider and pass resolution on the annual report and the annual accounts of the University and the audit report on such accounts; and (d) to advise the chancellor in respect of any matter which may be referred to it for advice.]

22. Meetings of Senate.

(1) The Senate shall meet at least once in four months on dates to be fixed by the Vice-chancellor and one of such meetings shall be called the annual meeting. (2) Fifteen members of the Senate shall be the quorum for a meeting of the Senate: Provided that such quorum shall not be required for a Convocation of the University or a meeting of the Senate held for the purpose of conferring degrees,

titles, diplomas or other distinctions.(3)The Vice-chancellor may, whenever he thinks fit and shall, within thirty days of the receipt of a requisition in writing signed by not less than one fourth of the total number of members of the Senate, convene a special meeting of the Senate.(4)When a special meeting is convened on requisition, no subject other than that shown in the requisition shall be considered at the meeting.

23. [The Syndicate. [Substituted by Act No. 14 of 2001.]

- The Syndicate shall be the chief executive body of the University and shall consist of the following members, namely:-Ex-officio members(a)The Vice-Chancellor;(b)The Pro-Vice-Chancellor(c)The Secretary to Government, Higher Education Department or an officer not below the rank of a Joint Secretary, in Higher Education Department, nominated by him;(d)The Secretary to Government, Finance Department or an officer not below the rank of a Joint Secretary, nominated by him;(e)The Secretary to Government., Information Technology Department or an Officer not below the rank of a Joint Secretary, nominated by him;(f)The Director of Collegiate Education.Other members[***](b)Three Deans of Faculties nominated by the Chancellor,by rotation;(c)Two Principals of Colleges affiliated to the University, nominated by the Government;(d)[Three teachers nominated by the Government of whom one shall be from the University Department and two from the affiliated colleges of whom one shall be from Scheduled Castes/Scheduled Tribes.] [Substituted by Act No. 12 of 2012.](e)[not more than six experts nominated by the Government, from the field of Higher Education of whom one shall be a woman.] [Substituted by Act No. 12 of 2012.][Provided that the members of the Syndicate nominated by the Chancellor or the Government under the heading "Other Members" shall hold their office during the pleasure of the Chancellor or the Government, as the case may be.] [Substituted by Act No. 12 of 2012.]]

24. [Term of office of members of Syndicate. [Substituted by Act No. 14 of 2001.]

(1)Members of the Syndicate, other than ex-officio members, shall hold office for a term of four years from the date of their nomination:Provided that no person nominated in his capacity as a member of a particular body or as the holder of a particular office shall be a member of the Syndicate for a longer period than three months after he has ceased to be such member or holder of such office unless in the meanwhile he again become a member of that body or the holder of that office:Provided further that a member other than an ex-officio member shall notwithstanding the expiration of his term, continue to hold office until his successor is nominated:Provided also that no person other than an ex-officio member shall be eligible to hold office for more than two terms in succession.(2)Notwithstanding anything contained in the first proviso to sub-section (1), a member of the Syndicate referred to in item (c) or in item (d) under the heading "Other members" in section 23 shall not cease to be such member merely on the ground that, -(a)he has been transferred to an educational institution within the State, situated beyond the territorial limits of the University; or(b)the college of which he is the Principal or in which he is a teacher has been transferred to another University; or(c)in the case of a teacher, he has been promoted as Principal.]

25. Powers of Syndicate.

- Subject to the provisions of this Act and the Statutes, the executive powers of the University, including the general superintendence and control over the institutions of the University, shall be vested in the Syndicate and subject likewise the Syndicate shall have the following powers, namely:-(i)to affiliate institutions in accordance with the terms and conditions of such affiliation prescribed in this Act and the Statutes;(ii)to make [Statues and Ordinances] [Substituted 'Ordinances' by Act No. 14 of 2001.] and to amend or repeal same;(iii)[
*****] [Omitted by Act No. 14 of 2001.](iv)to hold, control and administer the properties and funds of the University;(v)to direct the form, custody, and use of the common seal of the University;(vi)to arrange for and direct the inspection of campuses, colleges hostels and other institutions and to constitute a Board of Inspection for that purpose;(vii)to establish, maintain and manage colleges and institutes of research and other institutions of higher learning as it may, from time to time, deem necessary;(viii)to appoint teachers and other employees of the University and prescribe their duties;(ix)to create administrative, ministerial and other necessary posts;Provided that no post shall be created by the Syndicate without the prior approval of the Government, if creation of such post involves expenditure in excess of the budgetary provisions;(x)to suspend, discharge, dismiss or otherwise take any disciplinary action against teachers and other employees of the University after giving them reasonable opportunity to defend their position;(xi)with the previous sanction of the government to fix and regulate the fee payable by students in colleges affiliated to the University;(xii)to award fellowships, scholarships, studentships, bursaries, medals and prizes;(xiii)to exercise supervision and control over the residence and discipline of students;(xiv)to consider the financial estimates of the University and submit them to the Senate in accordance with the provisions of the Statutes made in this behalf;(xv)to conduct University Examinations and approve and publish the results thereof;(xvi)to appoint members to the Boards of Studies;(xvii)to approve panel of examiners and to fix their remuneration;(xviii)to approve the appointment of teachers in private colleges;(xix)to delegate any of its powers to the Vice-Chancellor or committee appointed from among its members;(xx)to arrange for and direct the investigation into the affairs of private colleges, to issue instructions for maintaining their efficiency, for ensuring proper conditions of employment of members of their staff and payment of adequate salaries to them, and, in case of disregard of such instructions, to modify the conditions of affiliation or recognitions or take such other steps as it seems proper in that behalf;(xxi)to withhold or cancel the result of any candidate at any University examination;(xxii)to accept endowments, bequests, donations and transfers of any movable and immovable properties to the University on its behalf, provided that all such endowments, bequests, donations and transfers shall be reported to the Senate at its next meeting;(xxiii)to exercise the powers of the University under clause (xxvii) of section 5;[***] [Omitted 'and' by Act No. 14 of 2001.](xxiv)[to determine what degrees, diplomas and other academic distinctions shall be granted by the University [Substituted by Act No. 14 of 2001.](xxv)to cancel or amend by a majority of the total membership of the Syndicate and by a majority of not less than two-thirds of the members present and voting, any Regulation passed by the Academic Council:Provided that no Regulation shall be cancelled or amended by the Syndicate without giving the Academic Council a reasonable opportunity to state its opinion on the proposed cancellation or amendment;(xxvi)to institute professorships, readerships, lecturerships and such other teaching or research posts as it may deem necessary:Provided that no professorship,

readership, lecturership or other teaching or research post shall be instituted by the Syndicate without the previous approval of the Government if it involves expenditure in excess of the budgetary provisions;(xxvii)to prescribe, with the previous concurrence of the Government, the terms and conditions of service of the employees of the University;(xxviii)to regulate, with the previous concurrence of the Government, the emoluments and prescribe the duties and conditions of service of the teachers and non-teaching staff of private colleges;(xxix)to prepare the budget according to the provisions of the Statutes;(xxx)to cancel any degree, diploma, title or any other distinction granted to any person; in accordance with the provisions of the Statutes;(xxxi)to appoint committees and to delegate to them such functions as it may deem fit;(xxxii)to make statutes regulating the methods of election to the authorities of the University, the procedure of the meetings of the Senate, the Syndicate and other authorities of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate;(xxxiii)to recommend to the Government the recognition of any local area within the University area as a University center;(xxxiv)to co-operate with other Universities and other authorities in such manner and for such purposes as it may determine; and(xxxv)to exercise such other powers and performs such other duties as may be prescribed by this Act, the statutes, the Ordinances, the Rules, the Bye-laws and the Orders.]

26. The Academic Council.

(1)The Academic Council shall be the academic body of the University.(2)The Academic council shall, subject to the provisions of this Act and the Statutes, control and regulate, and be responsible for the maintenance of standards of instruction, education and examinations within the University and shall exercise, such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.(3)The Academic Council shall consists of the following members, namely:-(a)the Vice-chancellor;(b)the Pro-vice-chancellor;• the Director of Public Instruction;• the Director of Technical Education;• the Director of Collegiate Education;• the Director of Medical Education;• the Director of Higher secondary Education;• the Director of Vocational Higher Secondary Education;• the Director, state Council of Educational Research and Training;• the Deans of Faculties;• all the heads of University Departments of Study and research who are not Deans of faculties;• all members of the Syndicate who are not otherwise members of the Academic council;• three members (other than Deans of faculties) of whom at least one shall be the principal of a Government professional college, elected by the principals of professional colleges from among themselves;• seven members (other than Deans of Faculties) of whom at least one shall be the principal of a Government college, elected by the principals of first grade colleges, other than colleges of oriental languages, from among themselves;• one member (other than a Dean of Faculty) elected by the principals of colleges of oriental languages, from among themselves;• one member each of every subject of study, not being a Dean of faculty or head of a University department or principal, elected by the teachers of that subject, from among themselves;• one member from among the headmasters and one member from among the teachers of the secondary schools in the University area, nominated by the chancellor;• one member representing each faculty elected by the full-time post-graduate students of the faculty, from among themselves; and• seven members from external experts nominated by the Chancellor of whom two shall be experts in commerce, business management or industrial technology.(4)Members of the Academic Council, other than the

members specified in clauses (a) to (i) of sub-section (3), shall hold office for a term of four years from the date of constitution of the Council: Provided that a person who has become a member of the Academic Council in the capacity of a post-graduate student shall cease to hold office on his ceasing to be a postgraduate student.

27. Powers and duties of Academic Council.

- Subject to the provisions of this Act and the Statutes, the Academic Council shall have the following powers, duties and functions, namely:-(i)to advise the Senate and the Syndicate on all academic matters;(ii)to make regulations and to amend or repeal the same;(iii)to prescribe the courses of studies in the institutions maintained by, or affiliated to, the University;(iv)to prescribe the qualifications of teachers-(a)in colleges; and(b)in the institutions maintained by the University.(v)to prescribe the qualifications for admission of students to the various courses of studies and to the examinations and the conditions under which exemptions may be granted;(vi)to make provision for the admission of students to the various courses of studies on the basis of merit in order to maintain standards of education;(vii)to make proposals for the instruction and training in such branches of learning as it may think fit;(viii)to make proposals for research and advancement and dissemination of knowledge;(ix)to make proposals for the institution of professorships, readerships, lecturerships and other teaching and research posts required by the University;(x)to make proposals for the institution of fellowships, traveling fellowships, scholarships, studentships, medals and prizes;(xi)to make proposals for determining what degrees, diplomas and other academic distinctions shall be granted by the University;(xii)to decide what examinations of other Universities may be accepted as equivalent to those of the University and to negotiate with other Universities for the recognition of the examinations of the University;(xiii)to arrange for the co-ordination of studies and teaching in affiliated colleges and recognised institutions; and(xiv)to exercise such other powers and perform such other duties and functions as may be conferred or imposed on it by this Act and the Statutes, Ordinances, Regulations, Rules and Bye-laws.

28. Faculties.

(1)The University may have such faculties as may be prescribed by the Statutes, from time to time.(2)Each faculty shall, subject to the control of the Academic Council, have charge of the teaching and the courses of study and research in such subjects as may be assigned to such faculty by the Ordinances or Regulations.(3)Each faculty shall consist of the following members, namely:-(a)the chairmen of the Boards of Studies comprised in the faculty;(b)two members elected from each Board of Studies;(c)not less than five and not more than ten members, nominated by the Syndicates from among teachers; and(d)two members, nominated by the Syndicate, who are from outside the University, on the basis of their expert knowledge.(4)Each faculty shall comprise of such departments of teaching as may be prescribed by the Ordinances.(5)Subject to the provisions of this Act, each faculty shall exercise such powers and perform such duties as may be prescribed by the Statutes.(6)The members of faculties mentioned in clauses (b), (c) and (d) of sub-section (3) shall hold office for a period of four years from the date of their election or nomination as the case may be.

29. Deans of faculties.

(1) There shall be a Dean of each faculty, who shall be nominated by the Chancellor in consultation with the Vice-Chancellor, by rotation, from among the heads of University departments or professors or from among persons of outstanding expertise. (2) The Dean of each faculty shall be responsible for the due observance of the Statutes, Ordinances, Regulations and bye-laws relating to that faculty. (3) The Dean of faculty shall hold office for a term of two years from the date of nomination and shall be eligible for renomination.

30. Boards of Studies.

(1) There shall be a Board of Studies attached to each department of study in the University: Provided that post-graduate studies in each department may have separate Board of Studies. (2) The constitution, power and functions of the Boards of Studies shall be prescribed by the Statutes. (3) Members of the Boards of Studies shall hold office for a period of two years from the date of their entering upon office.

31. Student's Council.

(1) There shall be a Students' Council in the University. (2) The Students' Council shall consist of the following members namely:—Ex-officio members (a) a senior member from among the teachers nominated by the Vice-chancellor, who shall be the Chairman of the Council; (b) the Chairman of the University Union; (c) the General Secretary of the University Union; (d) the Director, National Cadet Corps; (e) the officer-in-charge of the National Service Scheme in the University; (f) the Director of Physical Education of the University; (g) the Director of Youth Affairs of the University who shall be the Vice-Chairman of the Council; Elected members (a) seven members, not being members of the Senate or the Academic Council, elected by the members of the General Council of the University Union from among themselves, of whom two shall be women and one shall be a member of a Scheduled Caste or a Scheduled Tribe; (b) two members elected from among the full-time students of the campuses or departments of the University in such manner as may be prescribed by Statutes; (c) two members, other than students, elected by the members of the Senate from among themselves; (d) one member elected by the members of the Syndicate from among themselves; and (e) one member elected by the members of the Academic Council from among themselves; Other members five students who have distinguished themselves in academic field, sports or fine arts, nominated by the Vice-chancellor, after giving due consideration to the representation of special interests. (3) A member nominated by the Vice-chancellor, in consultation with the Chairman of the University Union, from among the elected student members of the Council, shall be the secretary to the Council. (4) The members of the students' Council, other than ex officio members, shall hold office for a term of one year from the date of the nomination or election, as the case may be.

32. Powers and duties of Students' Council.

(1) Subject to the provisions of this Act and the Statutes, the Students Council shall have the

following powers, duties and functions, namely:-(a)to make recommendations to the Syndicate and to the Academic Council in matters affecting the academic work of students, such as the structure of courses and pattern of instruction, the corporate life of the University in so far as it concerns students and the co-curricular and extra-curricular activities in the University;(b)to make suggestions to the Syndicate and the Academic Council in respect of all rules relating to discipline and welfare of students, sports, working of literary and other societies, management of hostels, students' homes and non-resident student centers, extension work, social work, student's health, National Service Scheme and National Cadet Corps and such other matters as may be specified in the Statutes;(c)to communicate its views, observations and recommendations to any authority of the University in respect of any matter which concerns the students:Provided that if any question arises as to whether a matter does or does not concern the students, the question shall be decided by the Chairman of the Students' Council and his decision shall be final(d)to take such steps as are necessary for the general welfare of students; and(e)to exercise such other powers and perform such other duties and functions as may be conferred or imposed on it by this Act or the Statutes, Ordinances or Regulations.(2)The Chairman of the Students' Council shall cause to be laid before the Syndicate and the Students' Council, in such manner as may be prescribed by the Statutes, periodical reports detailing the recommendations and suggestions made by the Students' Council, the action taken thereon by the authorities to which such recommendations and suggestions were made, and if no action was taken by the authorities to which such recommendations and suggestions were made, the reason thereof.

33. Finance Committee.

(1)There shall be a Finance Committee to give advice to the University on any question affecting its finances.(2)The Finance Committee shall consist of the following members, namely:-(a)the Vice-chancellor, who shall be the Chairman;(b)the Pro-Vice-Chancellor;(c)one member elected by the members of the Senate from among themselves;(d)one member elected by the members of the Syndicate from among themselves;(e)one member elected by the members of the Academic Council from among themselves;(f)the Finance Secretary to Government or an officer of the Finance Department, not below the rank of Joint Secretary to Government, nominated by the Government; and(g)the Secretary to Government, Higher Education Department or an officer of the Higher Education Department, not below the rank of Joint Secretary to Government, nominated by the Government..(3)The Finance Officer of the University shall be the Secretary of the Finance Committee.(4)The powers and functions of the Finance Committee and its procedure in financial matters, including the delegation of its powers, shall be prescribed by the Statutes.

34. Planning Board.

(1)There shall be a Planning Board which shall be the Principal planning body of the University to advise the Senate, the Syndicate and the Academic Council on any matter which the Board considers necessary for the fulfillment of the objectives of the University.(2)The Planning Board shall consist of the following members, namely:-(a)the Vice-Chancellor, who shall be the Chairman;(b)the Pro-Vice-chancellor;(c)three teachers one representing University teachers one representing government college teachers and one representing private college teachers, nominated by

Syndicate;(d)two experts in planning nominated by the Chancellor;(e)one member nominated by the University Grants commission;(f)the Secretary to Government, Higher Education Department;(g)the member, state Planning Board in charge of Education;(h)the Registrar of the University; and;(i)the Finance Officer of the University who shall be the Secretary of the Board.(3)The members referred to in clauses (c) and (d) of sub-section (2) shall hold office for a period of four years from the date of their nomination(4)The powers and functions of the Planning Board shall be prescribed by the Statutes.

35. Other Authorities of University.

- The constitution powers and duties of boards and other bodies declared by the Statutes to be the authorities of the University shall be prescribed by the Statutes.

36. Disqualifications for membership.

(1)No person shall be qualified for election or nomination or appointment as a member of any of the authorities of the University or for continuing as such member, if he-(a)is below twenty-five years of age; or(b)is of unsound mind or a deaf-mute; or(c)is an un-discharge insolvent; or(d)has been convicted by a court of law for an offence involving moral delinquency; or(e)has been debarred by any University from appearing in examinations for malpractices in connection with any examination:Provided that clause (a) shall not apply to a person elected or nominate in the capacity of a student to any of the said authorities:Provided further that the disqualification of a person under clause (e) shall cease on the expiry of the period for which he has been debarred.(2)If any question arises as to whether any person is disqualified under sub-section (1) the question shall be referred to the Chancellor and his decision thereon shall be final.

Chapter V

Statutes, Ordinances, Regulations, Rules and Bye-Laws

37. The Statutes.

- Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-(a)the powers and duties of the officers of the University, not specifically provided for in this Act;(b)the constitution, powers and duties of the authorities of the University, not specifically provided for in this Act;(c)the procedure for election of members of Senate, [*****] [Omitted 'syndicate' by Act No. 14 of 2001.] Academic Council and other authorities of the University and such other matters relating to these bodies, as may be necessary or desirable to provide;(d)the procedure for selection and methods of appointment, conditions of service, powers and duties of teachers and non-teaching staff of the University;(e)the award of degrees, diplomas, titles, certificates and other academic distinctions by the University;(f)the withdrawal or cancellation of degrees, diplomas, titles, certificates and other academic distinctions;(g)the registration of graduates and the maintenance of the register of registered graduates;(h)the holding of convocations to confer degrees;(i)the conditions and procedure for affiliation of colleges;(j)the

conferment of honorary degrees;(k)the maintenance of the accounts and the preparation and passing of the annual budget of the University;(l)the procedure for disciplinary action against the employees of the University and the manner of termination of service of such employees;(m)the procedure for arbitration in case of disputes between the University and its employees or between the University and the students of the University;(n)the procedure for appeal to the Syndicate by any employee or student against the action of any officer or authority of the University;(o)the constitution of grievance committee for the employees and students and the terms of reference to be made to it by them;(p)the principles governing seniority of service of employees of the University;(q)the participation of students and research scholars in the affairs of the University;(r)the establishment and abolition of faculties, departments, hostels;(s)the delegation of powers vested in the various authorities and officers of the University;(t)the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University; and(u)all other matters which by this Act are to be, or may be prescribed by the Statutes.

38. Procedure for making Statutes.

(1)The [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] of its own motion take into consideration the draft of a Statute:[Provided that, in any such case, before a Statute is passed the Syndicate shall obtain and consider the opinion of the Academic Council, where necessary, on academic matters.] [Substituted by Act No. 14 of 2001.](2)The [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] may propose to [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] the draft of any Statute for consideration and such draft shall be considered by the Senate at its next meeting.(3)The [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] may approve the draft of a Statute proposed by the [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] and pass the Statute or may reject it or return it to the [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] for reconsideration, either in whole or in part, together with amendments which the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] may suggest.(4)After any draft returned by the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] under sub section (3) has been further considered by the [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] , together with any amendment suggested by the (Syndicate), it shall be again presented to the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] with the report of the [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] thereon, and the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] may then deal with the draft in any manner it thinks fit.(5)Where any Statute has been passed by the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] , it shall be submitted to the Chancellor who may refer the Statute back to the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] for further consideration or assent thereto or withhold his assent.(6)No Statute passed by the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] shall be valid or come into force until assented to by the Chancellor.(7)The [Academic Council] [Substituted 'Syndicate' by Act No. 14 of 2001.] shall not propose the draft of Statute or of an amendment to a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the [Syndicate] [Substituted 'Senate' by Act No. 14 of 2001.] .(8)No statute providing for the conditions for, or procedure relating to, the affiliation of private colleges shall be passed by the [Syndicate]

[Substituted 'Senate' by Act No. 14 of 2001.] without the previous approval of the Government.)

39. Ordinances.

(1) Subject to the provisions of this Act and the Statutes, the Syndicate shall have power to make Ordinances providing for all or any of the following matters, namely:-(a)the levy of fees in colleges and other institutions by the University;(b)the residence and discipline of students;(c)the work load and pattern of teaching staff in colleges;(d)the fixation of the scales of pay of the various posts in the university and the terms and conditions of service of officers and employees of the University; and(e)all other matters which by this Act or the Statutes are to be or may be, provided for by Ordinances.(2)All Ordinances made under this Act shall have effect from such date as the Syndicate may direct.

40. Procedure for making Ordinances.

(1)The procedure to be followed in making, amending or repealing Ordinances shall be prescribed by the statutes.(2)Every Ordinance or amendment to an Ordinance including repeal of an Ordinance which involves expenditure shall be made only with the prior approval of the Government:Provided that no prior approval of the Government shall be necessary for incurring any such expenditure, if the expenditure involved is not more than ten thousand rupees in the aggregate in a financial year.(3)No Ordinance or amendment to an Ordinance including repeal of an Ordinance which involves expenditure shall be valid or come into force unless assented to by the Chancellor.(4)[*****] [Omitted by Act No. 14 of 2001.](5)[*****] [Omitted by Act No. 14 of 2001.]

41. Regulations.

- Subject to the provisions of this Act and the Statutes and the Ordinances, the Academic Council may make Regulations providing for all or any of the following matters, namely: -(a)the courses of studies and the conduct of examinations;(b)the admission of students to the various courses of study and to the examinations;(c)the qualifications of teachers;(d)the appointment and prescription of duties of the Boards of Studies and examiners;(e)recognition of examinations, degrees and diplomas of other Universities as equivalent to the examinations, degrees and diplomas of the University; and(f)all other matters which under the provisions of this Act and the Statutes and the Ordinances are to be, or may be, prescribed by Regulations.

42. [Procedure for making Regulations. [Substituted by Act No. 14 of 2001.]

(1)All Regulations under this Act shall have effect from such date as the Academic Council may direct but every Regulation so made shall be laid before the Syndicate during its next succeeding meeting:Provided that no such Regulation or repeal of a Regulation which involves expenditure shall be made by the Academic Council without the prior approval of the Government.(2)If any Regulation or repeal of a Regulation is not laid before the Syndicate as required by sub-section (1),

the Regulations shall lapse, or , as the case may be, the Regulation repealed shall revive after the next succeeding meeting of the Syndicate.]

43. Rules, bye-laws and orders.

(1)The Syndicate shall have power to make rules, byelaws and orders not inconsistent with the provisions of this Act and the Statutes, the Ordinances and the Regulations, for the guidance and the working of boards, committees and other bodies constituted under the provisions of this Act or the Statutes or the Ordinances or the Regulations and for regulating the procedure and conduct of business at meetings of any authority of the University, other than the Senate.[Provided that such Rules, Bye-laws or Orders which involve expenditure shall be made only with the prior approval of the Government.] [Added by Act No. 14 of 2001.](2)All such rules bye-laws and orders shall have effect from such date as the Syndicate may direct. [*****]
[Omitted 'and every such rule, bye-law or order shall be submitted to the senate during its next succeeding meeting' by Act No. 14 of 2001.](3)[*****] [Omitted by Act No. 14 of 2001.]

44. Publication in the Gazette.

- All Statutes, Ordinances and Regulations made under this Act shall be published by the University in the Gazette.

Chapter VI

Election To The Senate, [***] [Omitted 'The Syndicate' by Act No. 14 of 2001.] and Other Bodies of The University, Filling Up of Vacancies and Resignation, Removal, Etc., of Members of Authorities And Bodies**

45. Election of members to the Senate, [**] [Omitted 'the Syndicate' by Act No. 14 of 2001.] and other bodies of the University.**

- The election of members to the Senate 29. [****] [Omitted 'the Syndicate' by Act No. 14 of 2001.] and other bodies of the University shall be held in accordance with the systems of proportional representation by means of single transferable vote and in accordance with the procedure prescribed by the Statutes, and the voting at such election shall be by secret ballot.

46. Filling up of vacancies.

(1)All vacancies among the members [other than ex officio members] of any authority or body of the Universities by reason of death, resignation or otherwise shall be filled, within a period not exceeding six months, by the person or authority who or which appointed, elected or nominated the

member whose place has become vacant.(2)Any person appointed, elected or nominated under sub-section (1) shall hold office as member so long only as the member in whose place he is appointed, elected or nominated, as the case may be, would have been entitled to hold office if the vacancy had not occurred.

47. Resignation or removal of members of authority or body.

(1)Any member of any authority or body of the University may resign his office, by letter addressed to the Registrar, and the resignation shall take effect on the date of receipt of such letter by the Registrar.(2)The [Vice-Chancellor] [Substituted 'Senate' by Act No. 14 of 2001.] may, on the recommendation of not less than two-thirds of the number of members of the Syndicate, remove the name of any person convicted by a Court of law of any offence involving moral delinquency or punished by the University for malpractice connected with any University examination from the register of registered graduates or remove any such person from membership of any authority or body of the University [***] [Omitted 'and for the same reason may withdraw any degree or diploma conferred on or granted by the University' by Act No. 14 of 2001.](3)[The Vice-chancellor may, on the recommendation of the Syndicate] [Substituted 'The Senate may' by Act No. 14 of 2001.] also remove any person from the membership of any authority or body of the University if he becomes of unsound mind or a deaf-mute or has applied to be adjudicated or has been adjudicated an insolvent.(4)If an elected member of any authority or body of the University fails to attend three consecutive meetings of that authority or body, he shall cease to be a member of such authority or body, and thereupon the Registrar shall intimate him that he has ceased to be such member:Provided that such authority or body may, if satisfied that there was sufficient cause for the failure of the member to attend the meetings, restore him to its membership.

Chapter VII

Finance

48. University Fund.

(1)All grants and loans received from the State Government, the Government of India, the University Grants Commission and from any other source, all revenues of the University, all fees received, all incomes such as rent and profit derived from the properties and funds vested in the University, all endowments and donations received from any source whatsoever, all other miscellaneous receipts of the University and all deposits, remittances, and service funds, received in connection with the affairs of the University shall form one consolidated fund styled "Kannur University Fund" and shall be employed for the purposes and in the manner laid down in this Act and the Statutes, Ordinances, rules, bye-laws or orders made thereunder:Provided that separate accounts shall be maintained for specific purposes.(2)All monies in the Kannur University Fund shall be lodged in the Government Treasury or, with the approval of the Government, in the State Bank of India or its subsidiaries up to such limits as may be fixed by the Government.(3)The University may invest such part of the monies in the Kannur University Fund as it may deem fit, in the Government securities or securities guaranteed by the Government of India.(4)The custody of

the Kannur University Fund, the payment of monies therein, the withdrawal of monies therefrom and all other ancillary matters shall be regulated by the Statutes, Ordinances, rules of bye-laws made in that behalf.

49. Grants from Government.

(1)The University shall receive as grants for its maintenance such sums, subject to such conditions, as may be fixed by the Government, from time to time.(2)The Government may pay to the University such other grants subject to such terms and conditions as they think fit, for specific purposes.

50. Corpus Fund.

- University may institute a Corpus Fund to meet the shortage of fund and the same may be utilised in the manner as specified by the Statutes.

51. Annual estimates of income and expenditure.

(1)The Syndicate shall prepare the financial estimates of the income and expenditure of the University for the ensuing year before such date as may be prescribed by the Statutes and forward the same together with a memorandum containing explanatory notes thereon to the 33 [Chancellor] [Substituted 'Senate' by Act No. 14 of 2001.] for consideration.(2)[the Chancellor shall consider the financial estimates and shall approve it either without alteration or with such alteration as he may deem fit] [Substituted by Act No. 14 of 2001.].

52. Restriction on diversion of funds.

- The University shall not -(a)without the prior approval of the Government,(i)divert funds earmarked for a purpose for any other purposes; or(ii)implement any scheme which involves any matching contribution from the Government; or(b)implement any scheme which imposes a recurring liability on the Government after the assistance from the sponsoring authority ceases.

53. Annual accounts.

(1)The annual accounts of the University shall be prepared under the directions of the Syndicate and shall be submitted to the Government for audit.(2)The annual accounts together with the audit report thereon shall be published by the Syndicate and copies of such accounts and audit report shall be placed before the Senate and submitted to the government and the Chancellor.(3)The annual accounts shall be considered by the Senate at its annual meeting and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take action in accordance therewith.

54. Annual report.

(1)The annual report of the University shall be prepared under the direction of the Syndicate and shall be presented to the Senate for its review on or before such date as may be prescribed by the Statutes.(2)The Senate shall pass a resolution on the annual report and communicate the resolution to the Syndicate.(3)The Syndicate shall inform the Senate of the action taken by it on the resolution passed by the Senate under sub-section (2) and shall submit a copy of the annual report together with a copy of the resolution of the Senate under sub-section (2) to the Government and the Chancellor.(4)The government shall, as soon as the annual accounts and annual report are received, cause the same to be laid on the Table of the State Legislative Assembly.

55. Audit of accounts of the University.

- The accounts of the University shall be audited in the manner provided in the Kerala Local Fund Audit Act, 1994 (14 of 1994)

Chapter VIII

Private Colleges and Affiliation of Colleges

56. Definitions.

- In this Chapter, -(a)"corporate management" means an education agency which manages more than one private college; and (b)"unitary management" means an educational agency which manages one private college.

57. Governing body for private college under unitary management.

(1)A unitary management shall constitute, in accordance with the provisions of the Statutes, a governing body consisting of the following members, namely:-(a)the manager of the private college;(b)the principal of the private college;(c)a person nominated by the University in accordance with the provisions in that behalf contained in the Statutes;(d)a person nominated by the Government;(e)two persons elected in accordance with such procedure as may be prescribed by the Statutes, by the permanent teachers of the private college from among themselves;(f)the chairman of the College Union;(g)a person elected in accordance with such procedure as may be prescribed by the Statutes, by the permanent members of the non-teaching staff of the private college from among themselves; and (h)not more than six persons nominated by the unitary management.(2)The manager of a private college under unitary management shall be the Chairman and the Principal shall be the Secretary of the Governing body for that private college.(3)It shall be the duty of the Governing body to advise the unitary management in all matters relating to administration of the private college in accordance with the provisions of this Act and Ordinances, Statutes Regulations, rules, bye-laws and orders made thereunder.(4)The decisions of the Governing body shall be taken at meetings on the basis of simple majority of the members present and voting.

58. Managing council for private colleges under corporate management.

(1)A corporate management shall constitute a managing council for all the private colleges under its management, consisting of the following members, namely:-(a)the manager of the private colleges(b)one principal, by rotation, in such manner as may be prescribed by the Statutes;(c)a person nominated by the University in accordance with the provisions in that behalf contained in the Statutes;(d)a person nominated by the Government;(e)five persons elected in accordance with such procedure as may be prescribed by the statutes, by the permanent teachers of all the private colleges, from among themselves;(f)a person elected by the Chairmen of the College Unions of all private colleges, from among themselves;(g)one person elected in accordance with such procedure as may be prescribed by the Statutes, by the permanent members of the non-teaching staff of all the private colleges from among themselves; and(h)not more than fifteen persons nominated by the corporate management.(2)The manager of the private colleges shall be the Chairman of the managing council.(3)It shall be the duty of the managing council to advise the corporate management in all matters relating to the administration of the private colleges in accordance with the provisions of this Act and the Statutes, Ordinances, Regulations, rules, bye-laws and orders made thereunder.(4)The decisions of the managing council shall be taken at meetings on the basis of simple majority of the members present and voting.

59. Manager.

(1)A unitary management or corporate management shall appoint a manager for the private college or for all the private colleges, as the case may be, under its management within the University area.(2)The appointment or removal of the manager shall be intimated to the University by the unitary management or the corporate management, as the case may be.(3)It shall be the duty of the manager to give effect to the decisions of the unitary management or the corporate management, as the case may be.(4)The manager shall exercise such powers and discharge such duties as may be delegated to him by the unitary management or the corporate management, as the case may be.(5)The manager shall furnish to the Director of Collegiate Education audited accounts of the grants given by the Government to the private college or all the private colleges, as the case may be, of which he is the manager, within such time as may be specified by the Director of Collegiate Education in that behalf.(6)Suits by or against a private college shall be instituted by or against the manager thereof.(7)If the manager of a private college is guilty of mismanagement, malpractice, corruption, maladministration, gross negligence of duty or disobedience of instruction issued by the Government or the University or is convicted for an offence involving moral turpitude, the Vice-Chancellor may, after giving the manager a reasonable opportunity to show cause against the action propose to be taken against him and after due enquiry, declare him unfit to hold the office of manager and require the unitary management or the corporate management, as the case may be, to appoint a suitable person as manager.(8)Failure on the part of the manager to furnish accounts to the director of Collegiate Education as required by sub-section (5) within the specified date or within such further time as may be allowed by the Director of Collegiate Education shall be sufficient cause for taking steps for the withdrawal of the grant to the private college or private colleges, as the case may be.(9)Failure on the part of the manager of the unitary management or the corporate management, as the case may be, to obey the instructions issued by the University or the

Government in regard to matters relating to the administration of the private college or the continuance in office of person declared unfit under sub-section (7) shall be deemed to be sufficient cause for the withdrawal of the aid, grant or affiliation of the private college or private colleges, as the case may be, by the University or the Government, as the case may be.

60. Acts or proceedings of governing body or managing council not to be invalidated.

- No act or proceeding of a governing body or managing council shall be invalidated merely by reason of -(a)any vacancy in, or any defect in the constitution of, the governing body or managing council; or(b)any defect in the appointment of a person acting as a member of the governing body or managing council; or(c)any irregularity in the procedure of the governing body or managing council not affecting the merits of the case.

61. Affiliation of colleges.

(1)An application for affiliation to the University of any college or for affiliation in new courses in any affiliated college shall be sent by the educational agency to the Registrar within such time and in such manner as may be prescribed by the Statutes.(2)The terms and conditions of affiliation of a college or of affiliation in new courses in an affiliated college and the procedure to be followed by the Syndicate in granting such affiliation, including the period within which the Syndicate shall consider an application under sub-section (1), shall be prescribed by the Statutes:Provided that the Chancellor may, by notification in the Gazette, for reasons to be specified in the notification, extended the period within which the Syndicate shall consider any application under sub-section (1), whether such period has already expired or not by such further period, not exceeding one year, as may be specified in the notification.(3)Without prejudice to the generality of the provisions of sub-section (2), the Statutes may provide for the pattern of staff of private colleges, scales of pay and terms and conditions of service of members of such staff and admission and selection of students in private colleges from courses and examinations.

62. Appointment of teachers in private colleges.

(1)Appointments to the posts eligible to received salary from the Government shall be made only against posts sanctioned by the Government or by such officers as may be authorised by the Government.)(1A)Appointment to the lowest grade of teacher in each department of a private college shall be made by the educational agency by direct recruitment on the basis of merit.(2)Appointments of principals of private colleges shall be made by the educational agency by promotion from among the teachers of the college or of all the colleges, as the case may be, or by direct recruitment.(3)Where the appointment of principal is made by promotion, the educational agency shall make the appointment on the basis of seniority -cum-fitness.(4)Appointments to the posts, other than those referred to in sub-section (1A) and (2), shall be made by the educational agency by promotion from among the teachers of the private college or of all the private colleges as the case may be, on the basis of seniority-cum-fitness, or if none among them is fit for promotion, by

direct recruitment.(5)For making appointment under this section by direct recruitment, the post shall be advertised in such manner as may be prescribed by the Statutes.\(6)The educational agency shall not abolish a course of study in a private college without the prior approval of the University.(7)Every appointment under this section shall be made by a written order of the manager in such form as may be prescribed by the Statutes communicated to the person to be appointed, with copy to the University.(8)No appointment under this section shall be valid unless approved by the University.(9)Any person aggrieved by any appointment under this section may appeal to the Appellate Tribunal.

63. Qualifications of teachers of private colleges.

(1)Teachers of private colleges shall possess such qualifications as may be prescribed by the Regulations.(2)Notwithstanding anything contained in any law or in any judgment, decree or order of any court or other authority, any decision or order exempting any teacher of a private college from possessing the prescribed qualifications or approving the appointment of any teacher of a private college who did not possess the prescribed qualifications or allowing any teacher of a private college who did not possess the prescribed qualifications to continue in service, made or deemed to have been made before the commencement of this Act shall be deemed to have been made by the authority competent to make such decision or order under this Act as if this Act had been in force at the time when such decision or order was made, and accordingly all such decisions and orders shall be, and shall be deemed always to have been, valid and in accordance with law.

64. Probation.

(1)Teachers of private colleges shall be on probation for a period of one year within a period of two years:Provided that, in exceptional cases, for reasons to be recorded, the period of probation may be extended by a period not exceeding one year, subject to the prior approval of the Syndicate.Explanation. - Probation undergone by a teacher before the commencement of this Act shall be deemed to be probation for the purposes of this sub-section, provided such probation is within a period of two years immediately before such commencement.(2)Notwithstanding anything contained in any contract or other document, any teacher of a private college working in a substantive vacancy at or after the commencement of this Act shall be deemed to be on probation for the purposes of sub-section (1)(3)The educational agency may, at any time before the prescribed period of probation, terminate the probation of the probationer for want of vacancy and discharge him from service if he was appointed by direct recruitment or revert him to his original appointment if the appointment to the new post was by transfer or by promotion.(4)Any probationer discharged or reverted under sub-section (3) shall be given preference in the matter of future appointment to the same post.(5)On satisfactory completion of probation, the educational agency shall confirm the teacher in the post and, if the vacancy is not a substantive vacancy, the teacher shall be allowed to continue in the post for the duration of the vacancy.(6)If, on the expiry of the prescribed period of probation, the educational agency decides that the teacher is not suitable for continuance in the post to which he was appointed it shall discharge him from service or revert him to his original appointment, as the case may be, after giving him a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.(7)Where the post held by the probationer is

substantively vacant and before the expiry of one month from the prescribed period of probation he is not confirmed under subsection (5) or is not discharged or reverted under sub-section (6), he shall be deemed to have been confirmed in that post.(8)A probationer who is discharged or reverted under sub-section (6) or who is discharged or reverted before the prescribed period of probation otherwise then on the ground of want of vacancy shall be entitled to appeal against the order of discharge or reversion to the Appellate Tribunal, and the provision of section 66 shall mutatis mutandis apply to such appeals.

65. Conditions of service of teachers of private colleges.

(1)Notwithstanding anything contained in any law or in any contract or other documents, the conditions of service of teachers of private colleges, whether appointed before or after the commencement of this Act, including conditions relating to pay, pension, provident fund, gratuity, insurance and age of retirement, shall be such as may be prescribed by the Statutes.(2)Notwithstanding anything contained in this Act or the statutes, Ordinances and Regulations made thereunder,-(a)a person appointed as teacher in a private college in a temporary vacancy and continuing as such shall be appointed as teacher in any permanent vacancy or any temporary vacancy of longer duration that may arise, after such appointment in the temporary vacancy, in the private college or, as the case may be, any of the private colleges under the management of the educational agency within the University area;(b)a teacher relieved from a private college on or after the 14th day of March, 1974, due to the abolition of a course of study in that private college or the cessation of the period for which he was appointed or for any other reason, except disciplinary action against him, shall be given preference in the matter of future appointments in the private college or, as the case may be, any of the private colleges under the management of the educational agency within the University area;(c)any dispute arising or pending between the management of a private college and the teacher of that college in respect of any matter coming under clause (a) or clause(b) shall be decided in accordance with the provisions of this Act and the Statutes made thereunder.Explanation. - Where the number of claimants under clause (a) or clause (b) is more than the number of vacancies, the order of preference for appointment shall be in accordance with the date of first appointment of the claimants under the educational agency within the University area.

66. Disciplinary powers of educational agency over teachers of private colleges.

(1)The educational agency may at any time place a teacher of a private college under suspension when any disciplinary proceeding is proposed to be taken against him or when such disciplinary proceedings are pending.(2)A teacher of a private college who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours, shall be deemed to have been suspended with effect from the date of detention by an order of the educational agency and shall remain under suspension until further orders.(3)When a teacher of a private college is suspended for a period exceeding fifteen days, the matter, together with the reasons for the suspension, shall be reported to the Vice- Chancellor.(4)Any disciplinary proceedings against a teacher of a private college by the educational agency shall be completed within a period of three months or within such

further period as may be allowed by the Vice-Chancellor.(5)No disciplinary action shall be taken against a teacher without giving him a reasonable opportunity of showing cause against the action proposed to be taken against him.(6)Any teacher aggrieved by an order imposing on him any of the following penalties, namely:-(a)withholding of increment,(b)recovery from pay of any pecuniary loss caused to the institution of the monetary value equivalent to the amount of increment ordered to be withheld;(c)reduction to a lower rank in seniority list or to a lower grade or post;(d)removal from service;(e)compulsory retirement from service; or(f)dismissal from service,may, within sixty days from the date on which a copy of such order is served on him, appeal to the Appellate Tribunal on any one or more of the following grounds, namely:-(i)that there is want of good faith in passing the order,(ii)that the order is intended to victimize the appellant;(iii)that, in passing the order, the educational agency has been guilty of a basic error or violation of the principles of natural justice; or(iv)that the order is not based on any material or is perverse;Provided that the Appellate Tribunal may admit an appeal presented after the expiration of the said period of sixty days if it is satisfied that the appellant had sufficient cause for not presenting the appeal within the said period.(7)On receipt of an appeal under sub-section (6), the Appellate Tribunal may, after giving the parties an opportunity of being heard, and after such further inquiry as may be necessary, pass such order thereon as it may deem fit, including an order of reinstatement of the teacher concerned.(8)Any order passed by the Appellate Tribunal under sub-section (7), may be executed through the Subordinate Judge's Court having jurisdiction over the area in which the private college is situated, as if it were a decree passed by that Court.(9)Any person who objects to an order passed by the Appellate Tribunal under subsection (7) may, within sixty days from the date on which a copy of such order is served on him, prefer a petition accompanied by court fee stamps of the value of ten rupees, to the High Court on the ground that the Appellate Tribunal has either decided erroneously or failed to decide any question of law.(10)The provisions of section 5 of the Limitation Act, 1963 (Central Act 36 of 1963), shall be applicable to any proceedings under sub-section (9).(11)The High Court shall, after giving the parties an opportunity of being heard, pass such order on the petition, as it deems fit.(12)Where the High Court passes any order under sub-section (11), the Appellate Tribunal shall amend the order passed by it in conformity with the order of the High Court.

67. Disciplinary powers of Government over teachers of private colleges.

(1)Notwithstanding anything contained in this Act, or in the Statutes, Ordinances and Regulations and subject to such rules as may be made by the Government in this behalf, the Government or such officer of the Government, not below the rank of Director of Collegiate Education, as may be authorised by the Government in this behalf, (hereinafter referred to as the authorised officer), shall have power to take disciplinary proceedings against a teacher of a private college and to impose upon him all or any of the penalties specified by or under this Act:Provided that, before exercising the powers under this sub-section, the Government or the authorised officer, as the case may be, shall intimate the manager regarding the circumstances requiring disciplinary action against the teacher concerned and give the manager a reasonable opportunity of taking disciplinary action and the Government or the authorised officer, as the case may be, shall take disciplinary action against the teacher only if the manager fails to take appropriate disciplinary action.(2)The Government or the authorised officer, as the case may be, may suspend a teacher of a private college when any disciplinary proceedings are proposed to be taken against him under this section or when such

disciplinary proceedings are pending.

68. Past disputes relating to service conditions of teachers.

- Notwithstanding anything contained in any law for the time being in force or in any contract or in any judgment, decree or order of any court or other authority, any dispute between the management of a private college and any teacher of that college relating to the conditions of service of such teacher pending at the commencement of this Act shall be decided under and in accordance with the provisions of this Act and the Statutes made thereunder.

69. Membership of local authorities etc.

(1)A teacher of a private college shall not be disqualified for continuing as such teacher merely on the ground that he has been elected or nominated as a member of a local authority or of the Legislative Assembly of the State or of Parliament.Explanation. - For the purposes of this section, "local authority" means a municipality constituted under the Kerala Municipalities Act, 1994 (20 of 1994) or a Panchayat constituted under the Kerala Panchayat Raj act, 1994 (13 of 1994).(2)A teacher elected or nominated as a member of the Legislative Assembly of the State or of Parliament shall be entitled to treat the period of his membership of the Legislative Assembly or of Parliament as on leave without salary and allowances.(3)A teacher referred to in sub-section (2) shall also be entitled to count the period of his membership of the Legislative Assembly or of Parliament for the purposes of pension, seniority and increments.

70. Non-teaching staff of private colleges.

(1)The provisions of this Chapter shall, so far as may be, apply to the non-teaching staff of the private colleges.(2)Subject to the provisions of sub-section (1), the method of appointment, pay and other conditions of service of the non-teaching staff of private colleges shall be such as may be prescribed by the Statutes.

71. Transfer of teachers to other Universities.

(1)Where an educational agency has colleges under the jurisdiction of the Kannur University and also under the jurisdiction of the Calicut University, the educational agency shall, within three months of the commencement of this Act or within such further period, not exceeding three months, as may be granted by the Government for sufficient reason, prepare a seniority list of the teachers of all such colleges.(2)After the preparation of the list under sub-section (1), the educational agency shall give a right of option to the teachers as to the University under the jurisdiction of which they opt to remain, and the teacher shall be allotted to such University area in accordance with such option:Provided that where the number of teachers who have opted to work under the jurisdiction of the Kannur University or the Calicut University is more than the number required, allotment shall be made on the basis of seniority.(3)Any teacher aggrieved by any entry in the list prepared under sub-section (1) or by the allotment under sub-section (2) may appeal to the Government within sixty

days from the date of communication of the list or order of allotment to him and the decision of the Government thereon shall be final.(4)Where a teacher is allotted to a University under this section, he shall not be transferred to a college affiliated to any other University.(5)Nothing contained in this section shall apply in respect of principals of private colleges.

71A. [Inter University transfer of teacher by an educational agency. [Inserted by Act No. 12 of 2012.]

- Notwithstanding anything to the contrary contained in any law for the time being in force, where an educational agency has colleges under the jurisdiction of the kannur University and also under the jurisdiction of another University in the State, a teacher appointed by such educational agency to a college within the jurisdiction of the another University, may be transferred to any college under the jurisdiction of the kannur University, subject to the following conditions, namely: -(i)transfer shall be made only on the written request of the teacher who has completed three years of service;(ii)transfer shall be made only once during the entire period of service of a teacher;(iii)transfer shall be made on the basis of the seniority of teachers;(iv)teacher transferred under the provisions of this section shall become junior most in the colleges under the educational agency in the University irrespective of his service in the University from which he was transferred;(v)transfer is to be made as and when vacancy arises in any of the colleges under the educational agency in the University provided no home college option by any teacher against the said vacancy is pending; and(vi)teacher who is transferred under the provisions of this section shall be eligible for home college option and shall be treated as teacher of the University with all benefits that are enjoyed by the existing teachers, provided the services rendered by such teacher outside the University shall not be considered as outside services while exercising home college option.Explanation. - For the purpose of this section, "home college option" means the option made by a teacher regarding his home college in the University under the Provisions of the Statutes made under this Act.]

72. Constitution of appellate Tribunal.

(1)The Government shall constitute an Appellate Tribunal for the purposes of this Act.(2)The Appellate Tribunal shall be a judicial officer not below the rank of District Judge nominated by the Chancellor, in consultation with the High Court.(3)The term of office of the appellate Tribunal shall be three years from the date of its nomination.(4)The Appellate Tribunal shall have power to make regulations, consistent with the provisions of this Act, with the previous sanction of the Government, for regulating its procedure and disposal of its business.(5)The regulations so made shall be published in the Gazette.(6)The remuneration and other conditions of service of the Appellate Tribunal shall be such as may be prescribed by rules made by the Government.

73. Private Colleges to comply with provisions of Chapter within six months.

- All private colleges existing in the University area immediately before the commencement of this Act and stand affiliated to the University under section 89 shall, within a period of six months from

such commencement, comply with the provisions of this Chapter.

74. Colleges not complying with provisions of this Act etc.

(1) If the Syndicate is satisfied that any private college has not complied with any provision contained in this Act or in the Statutes, Ordinances, Regulations, bye-laws, orders or rules, it may recommend to the Government for withholding or discontinuing aid or grant to that private college or it may disaffiliate that college from the University: Provided that, before disaffiliating a college, the educational agency and the governing body or managing council, as the case may be, shall be given an opportunity of being heard. (2) If on a recommendation under sub-section (1), the Government are satisfied that any private college has not complied with any of the provisions of this Act or of the Statutes, Ordinances, Regulations, bye-laws, orders or rules, they may, by order. Direct that the college shall not be given any aid or grant from the Government: Provided that, before making any such order, the educational agency and the governing body or managing council, as the case may be, shall be given an opportunity of being heard.

Chapter IX

75. Code of conduct for teachers of affiliated colleges.

(1) Government shall, in consultation with the University and the representatives of the teachers, frame a code of conduct to be observed by the teachers of Government and private colleges. (2) Any teacher of a Government or a private colleges who contravenes any of the provisions of the code of conduct shall be liable to disciplinary action which may involve the imposition of a major penalty.

76. Inspection.

(1) The University may, at such regular intervals as it deems necessary, and shall once in every five years, cause an inspection to be made by such person or machinery, as may be prescribed by the Statutes- (a) of the University; its buildings, laboratories, libraries, museums, workshop and equipments and of other institutions maintained recognised or approved by, or affiliated to, the University; (b) of the work conducted by the University; and (c) in respect of any other matter connected with the University. (2) A report of the inspection made under sub-section (1) shall be placed before the Syndicate for such action as may be necessary. (3) The Syndicate shall report to the Government and the Chancellor the action, if any, which is proposed to be taken or has been taken upon the result of any inspection under sub-section (1).

77. Appointment of Commission to inquire into the working of University.

(1) The Government may, at any time, and shall, at the expiration of ten years from the commencement of this Act and thereafter at the expiration of every ten years, by order published in the Gazette, constitute a Commission which shall consist of a Chairman and such other members, not exceeding five, as the Government may appoint and such order shall define the procedure to be

followed by the Commission.(2)The Commission constituted under sub-section (1) shall inquire into and report on-(i)the working of the University during the period to which the inquiry relates,(ii)the financial position of the University including the financial position of its colleges and departments;(iii)any change to be made in the provisions of this Act or the Statutes, Ordinances, rules and bye-laws made thereunder with a view to bringing about improvement in the affairs of the University; and(iv)such other matters as may be referred to it by the Government, and make such recommendations to the Government as it thinks fit.(3)On receipt of the report and the recommendations of the Commission under subsection (2), the Government shall forthwith refer such report and recommendations to the Senate for consideration and report.(4)Immediately after the Senate has considered the report and recommendations of the Commission and submitted its report to the Government, the Government shall consider the report of the Senate and pass such orders thereon as they think fit and shall also cause the same to be published in the Gazette.(5)The Senate shall be responsible for carrying into effect any orders passed by the Government under sub-section (4) within six months from the date of receipt of such orders

78. Power of Government to make rules.

(1)Government may, by notification in the Gazette, make rules not in consistent with the provisions of this Act for the purpose of exercising the powers and discharging the duties conferred or imposed on the Government by this Act.(2)Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides 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 modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

79. Transfer of service of certain employees from the University of Calicut to the Kannur University.

(1)Any person in the employment of the University of Calicut may, subject to such conditions and restrictions as may be specified by the Government in this behalf, opt to serve in connection with the affairs of the Kannur University .(2)As soon as may be after the date of commencement of this Act, the Government may, after consulting the Vice-Chancellors of the University of Calicut and the Kannur University, direct, by general or special order, that such of the employees of the University of Calicut who have opted under sub-section (1) as are specified in such order shall stand allotted to serve in connection with the affairs of the Kannur University with effect from such date as may be specified in such order,(3)In making an order under sub-section (2) the persons who have opted under subsection (1) to serve in connection with the affairs of the Kannur University shall be given preference.(4)With effect from the date specified in an order under sub-section (2), the persons specified in such order and allotted to serve in connection with Kannur University shall become employees of the Kannur University and shall cease to be employees of the University of Calicut .(5)Every person who becomes an employee of the Kannur University under sub-section (4) shall

hold office under that University by the same tenure, at the same remuneration and upon the same terms and condition and with the same rights and privileges as to pension, gratuity, if any, and other matters as he would have held the same on the date specified in the order under sub-section (2), as if this Act had not been passed. • The liability to pay pension and gratuity to the employees referred to in sub-section (2) shall be the liability of the Kannur University .

80. Transfer of accumulation in provident fund and other like funds.

(1)The sums to the credit of the provident fund accounts of the employees referred to in sub-section (2) of section 79 as on the date specified in the order under that sub-section shall be transferred to the Kannur University, and the liability in respect of the said provident fund accounts shall be the liability of the Kannur University.(2)There shall be paid to the Kannur University out of the accumulation in the superannuation fund and other like funds, if any, of the University of Calicut such amounts as have been credited to the superannuation fund and other like funds, if any, on behalf of the employees referred to in sub-section (2) of section 79.(3)The amounts paid under sub-section (2) shall form part of superannuation fund or other like funds if any, that may be established by the Kannur University for the benefit of its employees.

81. Conditions of service.

(1)Save as otherwise provided by or under this Act every salaried officer and teacher of the University shall be appointed by a written order.(2)The written order referred to in sub-section (1) shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.(3)Any dispute between any officer or teacher of the University and the University shall, on the request of the University or the officer or teacher concerned, be referred to the Appellate Tribunal for decision and thereupon the provisions of sub-section (7), (8), (9), (10), (11) and (12) of section 66 and the regulations made by the Tribunal under section 72 shall mutatis mutandis apply to the decision of such dispute.

82. Pension insurance and provident fund.

- The University shall, with the previous approval of the Government, make appropriate provisions for the benefit of its officers, teachers and other servants under its control in matters of insurance, pension, provident fund and for such other benefits as it may deem fit, in such manner as may be prescribed by the Ordinance.

83. Proceedings of the University and bodies not to be invalidated by vacancies.

- No act or proceeding of the Senate, the syndicate, the Academic Council or other body constituted under this Act or the Statutes or the Ordinance shall be deemed to be invalid merely by reason of any vacancy in the body doing or passing it, at the time such act or proceeding is done or passed.

84. Proceedings of Senate, syndicate and Academic Council.

- The Registrar shall forward to the Government within one month of the date of any meeting of the Senate or the Syndicate or the Academic council copies of the proceedings of such meetings.

85. Decision of certain disputes by Chancellor.

- If any question arises regarding the interpretation of any provision of this Act or of any Statute, Ordinance, Regulation, rule, bye-law or order or as to whether a 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 may be referred to the chancellor and shall be so referred to him if not less than twenty-five members of the Senate so require, and the Chancellor shall, after taking such advice as he deems necessary, decide the question, and such decision shall be final.

86. Report on affiliated colleges.

- The Vice Chancellor shall, at the end of every three years from the commencement of this Act, submit a report to the Government on the conditions of affiliated colleges.

87. Protection of acts and orders.

- All acts and orders duly and in good faith done or passed by the University or any of its authorities, bodies or officers shall, subject to the provisions of this Act, be final, and no suit shall be instituted against, or damage claimed from, the University or its authorities bodies or officers for anything in good faith done or purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations, rules, bye-laws of orders made thereunder.

88. Bar of jurisdiction of civil courts.

- No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is, by or under this Act, required to be settled, decided or dealt with or to be determined by any authority or person under this Act.

89. Institutions affiliated to University.

(1) All colleges existing in the University area immediately before the commencement of this Act shall stand affiliated to the University at such commencement. (2) The Government may, at any time, transfer to the University any institution, subject to such terms and conditions as may be agreed upon between the Government and the University as regards its future maintenance and control.

90. Duty of Teachers etc., in connection With University Examinations.

- (1) It shall be the duty of a teacher or a member of the non-teaching staff of an affiliated college or an officer, teacher or other employee of the University to do any work in connection with a examination conducted by the University which he is required by the competent authority or authority of the University to do.(2)If any teacher or member of the non-teaching staff of an affiliated college or any officer, teacher or other employee of the University refuses, without sufficient cause to the satisfaction of-• in the case of a teacher or a member of the non-teaching staff of an affiliated college, an officer not below the rank of Director of Collegiate Education authorised by the Government in this behalf; and• in the case of an officer, teacher or other employee of the University, the Vice- Chancellor,to do any work in connection with an examination conducted by the University when required to do by the competent officer or authority of the University, he shall, without prejudice to any other action that may be taken against him, forfeit his pay and allowances for the days on which he refused to do the work.Explanation. - Failure to comply with the requisition of the competent officer or authority of the University shall be deemed to be refusal for the purposes of this sub-section.(3)An order of forfeiture under sub-section (2) shall be made,-• in the case of a teacher or a member of the non-teaching staff of an affiliated college, by the officer authorised under clause (a) of the said sub-section; and• in the case of an officer, teacher or other employee of the University, by the Vice- Chancellor.(4)No order of forfeiture shall be made under sub-section (3) without giving the person who may be affected thereby an opportunity of being heard.(5)Any person aggrieved by an order referred to in sub-section (4) may, within sixty days from the date on which a copy of such order is served on him, appeal to the appellate Tribunal, and the appellate Tribunal may after giving the parties on opportunity of being heard and after such further inquiry as may be necessary, pass such order thereon as it deems fit.

91. Punishment for irregularities by teachers at examinations.

(1)Any teacher of an affiliated college or a teacher of the University who-• connives with or assists any candidate at an examination conducted by the University to do any malpractice at such examination; or• delays the valuation and return of answer books of candidates at any such examination which have been given to him for valuation;shall, without prejudice to any other action that may be taken against him, be liable for disciplinary action.(2)The Syndicate shall have the power to suspend the approval of the appointment of the teacher, in all cases where action is contemplated as per sub-section (1).

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93. Appointment of the first Vice-Chancellor.

- Notwithstanding anything to the contrary contained in section 10, the Chancellor shall appoint such person as he think fit to be the first Vice-Chancellor of the University.

94. Appointment of Registrar, Controller of Examinations and Finance Officer during initial period of two years.

- Notwithstanding anything contained in section 14, 15 and 16, the Registrar, the Controller of Examinations and the Finance Officer shall be appointed by the Chancellor for a period of two years from the commencement of this Act on a salary to be fixed by him and on such other conditions as he thinks fit: Provided that the power under this section shall not be exercised by the Chancellor after nomination of the syndicate under section 95.

95. Nomination of first University authorities.

- Notwithstanding anything contained in this Act, the first of all authorities of the University shall be nominated by the Chancellor for a period of forty-eight months from the date of nomination or till the constitution of those authorities in accordance with the provisions of this Act, whichever is earlier.

96. Colleges and other institutions within the jurisdiction of the University.

(1) All colleges and other educational institutions within the areas to which the jurisdiction of the University constitute under this Act extends, which immediately before the commencement of this Act were recognised by or were affiliated to the University of Calicut as institutions providing courses of study for admission to examinations of that University for degrees, diplomas and other academic distinctions, shall be deemed to be institutions recognised by or, affiliated to, the Kannur University constituted under this Act, and the provisions of this Act shall apply accordingly. (2) Any student of any college within the areas referred to in sub-section (1) and affiliated to the University of Calicut immediately before the commencement of this Act shall be permitted to complete his course under the University of Calicut, and the University constituted under this Act shall provide for the instruction of such students in accordance with the course of study in the University of Calicut and shall comply with such direction as may be given to it by the University of Calicut in respect of those students.

96A. [Pre-degree course to continue to be affiliated to the Calicut University. [Inserted by Act No. 11 of 1998.]

- Notwithstanding anything contained in any other provisions of this Act or in the Calicut University Act, 1975 (5 of 1975), Pre-degree courses in the colleges within the areas referred to in sub-section (1) of section 96 shall continue to be affiliated to the Calicut University and the University constituted under this Act shall provide for instruction of students of such courses in accordance with the course of study in the Calicut University and comply with such directions as may be given to it by the Calicut University in respect of that course of study.]

97. [Special provisions in respect of un-aided colleges. [Substituted by Act No. 14 of 2001.]

- Notwithstanding anything contained in this Act or the Statutes, Ordinances, Regulations Rules, Bye-laws or Orders, -(a)the scales of pay and other conditions of service of the teaching and non-teaching staff of un-aided colleges; and(b)the admission and selection of, and the fees payable by, students in such colleges, shall be determined, from time to time, by the Government on the basis of the recommendations of a Committee constituted by the Government consisting of-(i)one of the Vice-Chancellors of the Universities in the State nominated by the Government;(ii)the Secretary to Government, Higher Education Department who shall be the Convener of the Committee; and(iii)the Director of the Collegiate Education.]

98. Appointment of funds and assets of the University of Calicut.

- A Committee consisting of the Vice Chancellor of the University of Calicut, the Vice Chancellor of the Kannur University and the Secretary to the Government of Kerala, Finance Department, shall examine the question of transfer of funds and assets other than those referred to in sub-section (3) of section 99 from the University of Calicut to the Kannur University and shall recommend to the Government the action to be taken in the matter, and the decision of the Government on such recommendation shall be final.

99. Act 5 of 1975 not to apply.

(1)Subject to the provisions of this section, the Calicut University Act, 1975 (5 of 1975), shall, with effect from the date of commencement of this Act, cease to apply in respect of the areas to which the jurisdiction of the Kannur University extends.(2)Notwithstanding anything contained in sub-section (1), all statutes, Ordinances and Regulations made under the Calicut University Act, 1975 (5 of 1975) and in force on the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, continue to be in force in respect of the areas referred to in subsection (1) until they are replaced by the Statutes, Ordinances, and Regulations made under this Act.(3)All property whether movable or immovable, including lands, buildings, equipment, books and library and all rights of whatever kind owned by or vested in or held in trust immediately before the date of commencement of this Act by the University of Calicut in the territorial jurisdiction of the Kannur University as well as all liabilities legally subsisting against the University of Calicut in respect of these properties shall stand transferred to and vest in the Kannur University.(4)Nothing in this section shall be held to prejudice or affect the application of sections 4 and 23 of the Interpretation and General clauses Act, 1125 (VII of 1125).

100. First Statutes and first Ordinances.

(1)Notwithstanding anything contained in this Act, the first Statutes and the first Ordinances of the University shall be made by the Government:Provided that the powers under this sub-section shall not be exercised by the Government after the Senate constituted in accordance with the provisions

of this Act comes into being.(2)Every first Statute and every first Ordinance made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following the Legislative Assembly makes any modification in the first Statute or the first Ordinance, as the case may be, or decides that the first Statute or, as the case may be, the first Ordinance should not be made, the first Statute, or the first Ordinance, as the case may be, shall thereupon 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 the first Statute or the first Ordinance, as the case may be.

101. Removal of difficulties.

(1)If any difficulty arises as to the first constitution or reconstitution of any authority of the University or otherwise in giving effect to the provisions of this Act, the Government may, by order do anything not inconsistent with the provisions of this Act, which appears to them necessary for the purpose of removing the difficulty:Provided that no order under this sub-section shall be issued by the Government after the expiry of a period of two years from the commencement of this Act.(2)Every order issued under sub-section (1) shall be laid, as soon as may be after it is issued, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following the Legislative Assembly makes any modification in the order or decides that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modifications or annulment shall be without prejudice to the validity of anything previously done under that order.

102. Special provision regarding construction of references to "Malabar University" ; "Malabar University Ordinance" and "Malabar University Fund".

(1)References to the "Malabar" University" , the Malabar University Ordinance" or the "Malabar University Fund" in any Act or in any rule notification proceeding, order, regulation, byelaw or other instrument or document shall be construed as reference to the "Kannur University", the "Kannur University Act" and the "Kannur University Fund", respectively.(2)Where immediately before the date of publication of this Act in the Gazette any legal proceedings are pending in which the "Malabar University" is a party, the "Kannur University" shall be deemed to be substituted for the "Malabar University" in those proceedings and such proceedings may be continued accordingly.

103. Repeal and saving.

(1)The Malabar University Ordinance, 1996 (7 of 1996), 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.