



The Karnataka Janapada Vishwavidyalaya Act, 2011

Act 11 of 2012

Keyword(s):

Academic Council, Appointed Date, Department, Department of Studies, Hostel, Janapada, Statues, Syndicate, Teachers, University Grants Commission, University Library

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KARNATAKA ACT NO. 11 OF 2012
THE KARNATAKA JANAPADA VISHWAVIDYALAYA ACT, 2011
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STATEMENT OF OBJECTS AND REASONS

Act 11 of 2012.- It is considered necessary to establish the Karnataka Janapada Vishwavidyalaya:-

- (1) to preserve Folk Culture and to provide Higher Education and research in the field of Folklore in Karnataka, in particular, the tribal people of Karnataka, who are rich in Folk Culture.
- (2) to generate co-operation and better understanding of rural culture and to foster professional skills of Folklore which are hitherto neglected.
- (3) to collect, compile and publish the Folklore of all the communities of different areas in Karnataka scientifically through extensive field work and also to aim at comparative study of different Folklore culture of other states in India and abroad.

As the matter was urgent and both the Houses of state Legislature were not in session and the Karnataka Janapada Vishwavidyalaya Ordinance, 2011 (Karnataka Ordinance 1 of 2011) was promulgated to achieve the above object.

This Bill seeks to replace the above Ordinance.

Hence the Bill.

[L.C. Bill No.8 of 2011, File No. Samvyashae 40 Shasana 2011]

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

KARNATAKA ACT NO. 11 OF 2012

(First published in the Karnataka Gazette Extra-ordinary on the twenty-third day of February, 2012)

THE KARNATAKA JANAPADA VISHWAVIDYALAYA ACT, 2011

(Received the assent of the Governor on the twenty-first day of February, 2012)

An Act to provide for the establishment and incorporation of the Karnataka Janapada Vishwavidyalaya.

Whereas it is expedient to establish a University of unitary and residential nature exclusively for furthering the advancement of learning folklore and prosecution of research and for the purposes hereinafter appearing;

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

CHAPTER - I
PRELIMINARY

1. Short title and commencement.- (1) This Act may be called the Karnataka Janapada Vishwavidyalaya Act, 2011.

(2) It shall be deemed to have come into force with effect from 22nd day of July 2011.

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

- (i) "Academic Council" means the Academic Council established under section 27;
- (ii) "Appointed date" means the date appointed for the commencement of this Act;
- (iii) "Department", "Department of Studies", "Post Graduate Department" means the Department, Department of Studies, Post Graduate Department in the University run and maintained by the University;
- (iv) "Government" means the State Government;
- (v) "Hostel" means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act;
- (vi) "Janapada" means the folklore and includes all forms of folklore of the people whose culture is handed down orally;
- (vii) "Prescribed" means prescribed by the statutes;
- (viii) "Statutes" means the statutes made under this Act;
- (ix) "Syndicate" means the Syndicate established under section 24;
- (x) "Teachers" means Assistant Professors, Associate Professor, Professors, emeritus Professors and other like persons as may be declared by the statutes to be teachers;
- (xi) "University" means the Karnataka Janapada Vishwavidyalaya established under section 3;
- (xii) "University Grants Commission" means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956);
- (xiii) "University Library" means a Library maintained by the University, whether instituted by it or not.

CHAPTER - II
THE UNIVERSITY

3. Establishment of the University.- (1) For furthering the advancement of learning and prosecution of research in folklore there shall be established a University by the name called "The Karnataka Janapada Vishwavidyalaya".

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

(3) The University shall be of the unitary and residential nature.

(4) No institution affiliated to, or associated with, or maintained by any other University in the State shall be recognised by the University for any purpose, except with the prior approval of the Government and the concerned University.

(5) The headquarters of the University shall be located within the limits of ten kilometers of Gotagodi area of Shiggavi Taluk of Haveri district.

(6) The University shall have the power to open the regional centres at suitable places in other parts of the State.

4. Objectives of the Folklore University.- The Folklore University shall have the following objects, namely:-

(1) to provide for higher education and research in all the subjects of folklore literature, art, music, theatre, handicrafts, folk medicine, food, beverage, cottage industries etc., of Karnataka;

(2) to provide opportunity for study of the culture of Kannada speaking and other Dravidian languages speaking people and culture of the people speaking other languages;

(3) to provide for the study heritage of the indigenous/traditional knowledge with the awareness that "Indigenous culture is not monolithic but redemptively pluralistic;"

(4) to assist for the development of all neglected rural communities and tribes of Karnataka;

(5) to strengthen the indigenous culture to face the challenges of globalization effectively;

(6) this being the first folklore university in the world, it has to be promoted as a model university to all the countries particularly to the developing countries;

(7) to collect, compile and publish the folklore of all the communities of different areas in Karnataka scientifically through extensive field work;

(8) to preserve the collected folklore materials through multimedia documentation in the systematic manner in digital form;

(9) to collect the available materials used in the rural and tribal life in the different areas of Karnataka before they disappear and to exhibit them systematically in the indoor and outdoor exhibitions and to make those places attractive tourist spots;

(10) to introduce folklore as one of the subject of learning at schools, colleges and higher education centres and also to provide for research at the University level and to confer degrees. To educate interested people through distance education;

(11) to study folklore on multidisciplinary and interdisciplinary base and to promote research at higher levels;

(12) to make comparative study of folklore of different languages and communities of Karnataka;

(13) to encourage comparative study of Karnataka folklore alongwith folklore of other States of India. Similarly to encourage the study of folklore of South Asia and other nations of the world, particularly, folklore of developing countries. To implement these objects to enter into agreement with other University/research centres of the State of Karnataka, India and the world;

(14) to facilitate translations of Karnataka folklore and significant folklore studies into English, Hindi and other Indian and foreign languages. And also to translate folklore texts and significant folklore studies available in other Indian languages and languages of the world into Kannada;

(15) to establish Prasaranga for publication of diversities of folklore by the University. To publish books, news papers, research papers and other publications through the Prasaranga. To propagate the folklore art and culture through multi media. To arrange public lecture by scholars and artists to create awareness among the general public regarding folklore;

(16) to make efforts, for promoting the cottage industries and professional skills, providing self-dependence and self employment;

(17) to provide financial security and facilitating markets for products of traditional crafts;

(18) to impart essential education aimed at healthy and harmonious society by eradicating impertinent, unreasonable, inhuman and unscientific factors that may exist in the folklore;

(19) to create self confidence among the neglected communities by bringing them into the main stream of the society through modern education. To establish a separate developing faculty for the purpose of maximum utilization of folklore in informal education, mass communication and rural development activities;

(20) to formulate schemes related to the study of folklore and its implementation from time to time.

5. Powers of the University.- The University shall have the following powers, namely:-

(1) to arrange for conferring degrees, diploma and other academic distinctions;

(2) to confer degrees, diploma and other academic distinctions on persons who shall have carried out research in any other institution or centre recognised by the University subject to such conditions as may be prescribed;

(3) to confer honorary degrees or other academic distinctions in such manner and subject to such conditions as may be prescribed;

(4) to supervise and control hostels and to regulate and enforce discipline among the students of the University and to make arrangements for promoting their health and general welfare;

(5) to prescribe conditions under which the award of any degree, diploma and other academic distinctions to persons may be withheld;

(6) to co-operate with any other university, authority or association or any other public or private body having in view the promotion of purposes and objects similar to those of the University for such purposes as may be agreed upon, on such terms and conditions, as may, from time to time, be prescribed;

(7) to establish and maintain University libraries, research stations, museums for research and publication bureau;

(8) to institute and award fellowships, including travelling fellowships, scholarships, medals and prizes in the manner prescribed;

(9) to establish, maintain or recognise hostels for students of the University and residential accommodation for the staff of University and to withdraw any such recognitions;

(10) to fix fees and to demand and receive such fees as may be prescribed and to hold and manage endowments and other properties and funds of the University;

(11) to borrow money with the approval of the Government on the security of the property of the University for the purpose of the University;

(12) to enter into agreement with other bodies or persons for the purpose of promoting the objectives of the University including the assuming of the management of any institution under them and the taking over of the rights and liabilities;

(13) to acquire and hold both movable and immovable property and to rent out any immovable properties acquired by it for the purposes of the university, or to sale or otherwise, to transfer any movable property and to make agreement and to do all other functions necessary for the purposes of this Act;

(14) any immovable property which is vested in the University or acquired by it, shall not be given on rent, sale or otherwise transfer without the prior approval by the Government.

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

(2) Nothing contained in sub-section (1), shall require the University,-

(a) to admit to any course of study any person who does not possess the prescribed academic qualification or standard;

(b) to retain on the rolls of the University any student whose academic record is below the minimum standard required for the award of a degree, diploma or other academic distinction;
or

(c) to admit any person or retain any student whose conduct is prejudicial to the interests of the University or the rights and privileges of other students and teachers.

7. Power to issue directions.- The Chancellor may either suo motu or on the recommendation of the Government issue such directions as may be necessary or expedient in the interest of both administration and academic functioning of the University and in particular to ensure peace and tranquility and to protect the property and finances.

8. Power to annul the orders of the University.- The Government may by order published in the Official Gazette annul any order, notification, resolution or any proceedings of the University which in its opinion is not in conformity with the provisions of this Act, or the Statutes, Regulations, or Ordinances or is otherwise inconsistent with the policy of the Government.

CHAPTER - III

OFFICERS OF THE UNIVERSITY

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

(1) The Chancellor;

(2) The Pro-Chancellor;

(3) The Vice Chancellor;

(4) The Registrar;

(5) The Registrar (Evaluation);

- (6) The Finance Officer;
- (7) Deans of Faculties;
- (8) The Directors, Academic, Planning, Monitoring and Evaluation Board;
- (9) Such other officers of the University as may be declared by the Statutes to be the officers of the University.

10. The Chancellor.- (1) The Governor of Karnataka shall be the Chancellor of the University. He shall by virtue of his office be the head of the University and shall when present, preside at any convocation of the University and confer degrees, diploma or other academic distinctions upon persons entitled to receive them.

(2) Where power is conferred upon the Chancellor to nominate persons to the authorities, the Chancellor shall to the extent necessary, nominate persons to represent interests not otherwise adequately represented.

(3) The Chancellor may on his own motion or on application call for and examine the record of any officer or authority of the University in respect of any proceedings to satisfy himself as to the regularity of such proceedings or the correctness, legality or propriety of any decision taken or order passed therein; and, if, in any case it appears to the Chancellor that any such decision or orders shall be modified, annulled, revised or remitted for reconsideration, he may pass orders accordingly:

Provided that every application to the Chancellor for the exercise of the powers under this section shall be preferred within three months from the date on which the proceedings, decision or order to which the application relates was communicated to the applicant:

Provided further that no order prejudicial to any person shall be passed unless such person has been given an opportunity of making his representation.

11. Inspection.- (1) The Chancellor shall have the right to cause an inspection or inquiry to be made, by such person or persons as he may direct, of the University, its buildings, University libraries, museums and equipments, and of any institutions maintained or recognised by the University and also of the research, teaching and other work conducted or done by the University, and to cause an inquiry to be made in respect of any matter connected with the University. The Chancellor shall in every case give notice to the University of his intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(2) The Chancellor shall communicate to the Syndicate of his views with reference to the results of such inspection or inquiry and may after ascertaining the opinion of the Syndicate thereon advise the University upon the action to be taken and fix a time limit for taking such action.

(3) The Syndicate shall report to the Chancellor the action, if any, which is proposed to be taken or has been taken upon the results of such inspection or inquiry. Such report shall be submitted within such time as the Chancellor may direct.

(4) Where the Syndicate does not take action to the satisfaction of the Chancellor within the time limit as may be fixed under sub-section (2), the Chancellor may, after considering any explanation

furnished or representation made by the Syndicate, issue such directions as he may think fit and the Syndicate shall comply with such directions. In the event of the Syndicate not complying with such directions by the Chancellor, the Chancellor shall have power to appoint any person or body to comply with such directions and make such orders as may be necessary for the expenses thereof.

(5) The Chancellor shall exercise such other powers and perform such other duties as may be conferred on him by or under this Act.

12. The Pro-Chancellor.- (1) The Minister in charge of the Higher Education in the State of Karnataka shall be the Pro-Chancellor of the University.

(2) He shall preside over any convocations in the absence of the Chancellor.

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

(2) The Government shall constitute a Search Committee consisting of four persons of whom one shall be nominated by the Chancellor, one by Government, one by the University Grants commission and one by the Syndicate. The Government shall appoint one among the four members as to function as the Chairman of the Committee. The Secretary to Government, in charge of the Higher Education Department, or his nominee not below the rank of the Deputy Secretary to Government shall be the convener of the Search Committee.

(3) No person connected with the affairs of the Government, the University or any college or institution affiliated to the University shall be nominated as the member of the Search Committee.

(4) The Search Committee shall submit to the Government a panel of three eminent persons in the field of folklore in the alphabetical order. The Government shall forward the panel, along with its recommendations, to the Chancellor who shall keeping in view merit, equity and social justice appoint one person from the panel as the Vice Chancellor:

Provided that the Chancellor may with the concurrence of the Government call for a second panel if he considers it necessary and the Search Committee shall submit a second panel which shall be final.

(5) No person shall be appointed or hold office of the Vice-Chancellor, if he has attained the age of sixty seven years.

(6) The Vice-Chancellor shall, subject to the pleasure of the Chancellor and the provisions of sub-section (5) hold the office for a period of four years. He shall not be eligible for reappointment, for a second term.

(7) The Vice-Chancellor shall not be removed from his office except by an order of the Chancellor passed on the ground of willful omission or refusal to carry out the provisions of this Act or for abuse of the powers vested in him and on the advice tendered by the Government on consideration of the report of an inquiry ordered by it, under sub-section (8).

(8) For the purposes of holding an inquiry under this section the Government shall appoint a person who is or has been a Judge of the High Court or the Supreme Court. The inquiry authority shall hold the inquiry after giving an opportunity to make representation by the Vice-Chancellor and

shall submit a report to the Government on the action to be taken including penalty, if any, to be imposed, and the Government shall on consideration of the report advise the Chancellor. The Chancellor shall act in accordance with such advice, as far as may be, within six months.

(9) The emoluments and other conditions of service of the Vice-Chancellor shall be such as may be determined by the Chancellor and shall not be varied to his dis-advantage after his appointment as Vice-Chancellor. In the event of a Vice-Chancellor retiring on superannuation during his tenureship as Vice-Chancellor, his conditions of service already determined shall continue to be in vogue. All his pensionary benefits shall be kept in abeyance which shall be released after his demitting the office of the Vice-Chancellor.

(10) If a retired person is appointed as Vice-Chancellor, the terms and conditions of service upon his appointment as Vice-Chancellor including emoluments shall be determined by the Chancellor. The emoluments shall be reduced by the amount of pension and allowances drawn by him.

14. Powers of the Vice-Chancellor.- (1) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over the affairs of the University. He shall exercise all powers necessary for maintenance of discipline in the University.

(2) He shall be ex-officio Chairman of the Academic Council the Syndicate and the Finance Committee. He shall preside over in the absence of the Chancellor and Pro-Chancellor, at the convocations. He shall preside over the meetings of the authorities or bodies of the Universities, and shall be entitled to vote.

(3) He shall ensure that all the provisions of this Act, the Statutes, the Ordinances, and the Regulations are observed and shall have all the powers necessary for that purpose.

(4) He may either himself or through any officer of the University authorised in writing by him, convene the meetings of the Academic Council, the Syndicate and the Finance Committee and shall perform all such acts as may be necessary to carry out and give effect to the decisions of these authorities.

(5) In case of emergency which, in his opinion, requires immediate action, the Vice-Chancellor shall take such action as he deems necessary and shall at the earliest opportunity thereafter report the action taken to such authority or body which in the ordinary course would have dealt with the matter:

Provided that, if the action taken by the Vice-Chancellor is not approved by the Authority or body concerned, he may refer the matter to the Chancellor through the Government, whose decision thereon shall be final:

Provided further that any person in the service of the University affected by the decision of the Authority or body based on the report of the Vice-Chancellor under this sub-section, may prefer an appeal to the Chancellor within thirty days from the date on which the decision was communicated to him and the decision of the Chancellor on such appeal shall be final:

Provided also that the power vested under this sub-section, shall not be exercised to revise the pay scale of University employees or to grant affiliation to an institution or a course of instruction and if in the exercise of the powers under this sub-section Statutes or Regulations are framed, they shall be subject to the approval of the Chancellor under the relevant provisions of this Act and if Ordinances are made they shall be submitted to the Chancellor in accordance with this Act.

(6) The Vice-Chancellor shall exercise such other powers as may be prescribed by the Statutes, Ordinances and Regulations.

15. Arrangement of work during vacancy in the office of the Vice-Chancellor.- (1) During the temporary absence of the Vice-Chancellor by reason of leave, illness or any other cause, the Chancellor may make such arrangements as he deems fit for carrying on the duties of the Vice-Chancellor:

Provided that, pending making of such arrangements by the Chancellor, the Vice-Chancellor may designate the senior most Dean available in the University to be incharge of the current duties of the Vice-Chancellor for a period not exceeding one month or till arrangements are made by the Chancellor, whichever is earlier.

(2) During the period when a vacancy in the office of the Vice-Chancellor remains unfilled, the Chancellor may appoint the senior most Dean available in the University to act as Vice-Chancellor, and the person so appointed shall have all the powers and shall be entitled to all the privileges of the Vice-Chancellor and to such emoluments and allowances as may be determined by the Chancellor in accordance with the Statutes, if any, framed in this behalf.

16. Registrar.- (1) The Registrar shall be a whole time officer of the University. The Government may appoint an officer not below the rank of Group 'A' senior scale of Government or a senior most Professor who has served atleast five years as Professor in any faculty of the University to be the Registrar of a University.

(2) The Registrar shall be an ex-officio Member-Secretary of the Academic Council and the Syndicate and member of the Finance Committee.

(3) It shall be the duty of the Registrar,-

- (a) to be the custodian of the records, the common seal and such other property of the University as the Vice-Chancellor, or the Syndicate shall commit to his charge;
- (b) to issue notices convening the meetings of the Syndicate, Academic Council or the Faculties, the Board of Studies, and of any authority of the University and to keep minutes of all such meetings;
- (c) to conduct the official correspondence of the authorities of which he shall be the Member-Secretary;
- (d) to supply to the Chancellor and to the Government copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of the meeting within a month of holding of the meeting.

(4) The Registrar shall exercise such other powers and perform such other duties as may be prescribed by the Statutes, Ordinances or Regulations and as may be allocated to him from time to time by the Vice-Chancellor.

(5) The Registrar may be assisted by one or more Deputy Registrars and Assistant Registrars.

(6) The pleadings of all the suits and legal proceedings instituted by or against the University shall be signed and verified by the Registrar and all the orders of such suits and proceedings shall be given to the Registrar and shall be served to them.

17. The Registrar (Evaluation).- (1) The Registrar (Evaluation) shall be a whole time officer of the University. The Government may appoint a senior member of faculty of any University to be the Registrar (Evaluation) of a University:

Provided that where no such person is available to appoint as the Registrar (Evaluation), then the Vice Chancellor with the approval of the Syndicate from out of a panel of not less than three persons recommended by the Vice-Chancellor shall appoint the Registrar (Evaluation). If none of the persons in the panel is approved by the Syndicate within the time prescribed by the Statutes, the Government may, in consultation with the Vice Chancellor appoint such other person as he deems fit to be the Registrar (Evaluation). The terms and conditions of service and emoluments of the Registrar (Evaluation) so appointed shall be such as may be determined by the Government.

(2) The Registrar (Evaluation) shall be a Member of the Syndicate, the Academic Council, Finance Committee and all other faculties.

(3) The Registrar (Evaluation) shall be incharge of the conduct of examinations and all other matters incidental thereto and ancillary therewith and shall perform such other duties as may be prescribed by the Statutes or Ordinances, or as may be allocated to him by the Vice-Chancellor.

(4) The Registrar (Evaluation) may be assisted by one or more Deputy Registrars (Evaluation) and Assistant Registrars (Evaluation).

18. The Finance Officer.- (1) The Finance Officer shall be a whole time officer of the University, appointed by the Government with the approval of the Syndicate from out of a panel of not less than three persons being officers in the cadre of Joint Controller of State Accounts Department or an officer of the Rank of Deputy Accountant General having experience in audit, accounting and financial administration, recommended by the Vice-Chancellor to the Syndicate. If none in the panel is approved by the Syndicate within the time prescribed by the Statutes, the Government may appoint such other person as he deems fit to be the Finance Officer.

(2) The tenure of appointment and the emoluments of the Finance Officer and other terms and conditions shall be as determined by the Government.

(3) The Finance Officer shall, subject to the control of the Finance Committee, exercise such powers and perform such functions as may be prescribed by the Statutes, the Ordinances and the Regulations or as may be required from time to time by the Vice-Chancellor or the Registrar. He shall

be ex-officio Member of the Academic Council, and the ex-officio Member-Secretary of the Finance Committee.

19. Temporary vacancy in the office of the Registrar, the Finance Officer.- (1) In the event of suspension or temporary absence of the Registrar or the Finance Officer, the Chancellor may authorise any other suitable officer of the University to perform the duties of the Registrar or the Finance Officer, as the case may be.

(2) Pending appointment of a suitable officer to fill the vacancy in the office of the Registrar or the Finance Officer, the Vice-Chancellor may in his discretion authorise any officer to perform the duties of such vacant post till appointment is made. The Vice-Chancellor shall immediately report the action taken by him under this sub-section to the Government.

20. Dean.- (1) A Professor in each faculty according to seniority shall by rotation, act as Dean of faculty for a period of two years:

Provided that, if there is no Professor the senior most Associate Professor shall act as Dean:

Provided further that, if in any Faculty there is no Professor or Associate Professor then the Vice-Chancellor may in his discretion designate any other suitable Teacher to act as Dean:

Provided also that where no person is available in a Faculty to act as Dean of the Faculty or where the University does not have such a Department of Studies for any Faculty, then an expert from the Institution of Folklore studies recognized by the University to act as the Dean of Faculty.

(2) The Dean of each faculty shall be the Executive Officer of the Faculty and shall preside over the meetings of the Faculty.

(3) The Dean shall exercise such powers and discharge such functions as may be prescribed by the Statutes or Ordinances.

21. The Librarian.- The Librarian shall be a whole time officer of the University and shall be appointed by the Syndicate on the recommendation of the Board of Appointment. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

22. The Director of Academic, Planning, Monitoring and Evaluation Board.- The Director of Academic, Planning, Monitoring and Evaluation Board shall be a whole time officer of the University and shall be appointed by the Syndicate. He shall possess such qualifications and exercise such powers and discharge such duties as may be prescribed by the Statutes. His emoluments and terms and conditions of service shall be such as may be prescribed by the Statutes.

CHAPTER - IV

AUTHORITIES OF THE UNIVERSITIES

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

- (a) the Syndicate;

- (b) the Academic Council;
- (c) the Finance Committee;
- (d) the Board of Studies;
- (e) the Faculties;
- (f) the Academic, Planning, Monitoring and Evaluation Board; and
- (g) such other bodies as may by Statutes be declared to be the authorities of the University.

24. Syndicate.- (1) The Syndicate shall consist of the following Members, namely:-

- (a) the Vice-Chancellor ;
- (b) the Secretary to Government incharge of the Education Department or his nominee not below the rank of Deputy Secretary;
- (c) the Secretary to Government incharge of the Finance Department or his nominee not below the rank of Deputy Secretary ;
- (d) the Secretary to Government incharge of the Kannada and Culture Department or his nominee not below the rank of Deputy Secretary;
- (e) the Director, Kannada and Culture Department;
- (f) one Dean to be nominated by the Vice-Chancellor, by rotation for a term of one year on the basis of seniority;
- (g) six eminent folklorists nominated by the Government from amongst folklore experts for a term of three years of whom,-
 - (i) one shall be a person belonging to the Scheduled Castes or the Scheduled Tribes;
 - (ii) one shall be a person belonging to the Other Backward Classes;
 - (iii) one shall be a woman;
 - (iv) one shall be a person belonging to Religious Minorities; and
 - (v) two others:

Provided that no person who is an employee in the University in whatever capacity shall be eligible for nomination.

- (h) one Professor from the Post graduate studies by rotation for a term of one year on the basis of seniority to be nominated by the Vice-Chancellor with prior approval of the Government.

(2) The Syndicate shall hold atleast eight meetings on second Saturdays of the month during a year. The duration between two consecutive meetings shall not exceed eight weeks. The Vice-Chancellor may in case of urgency convene special meetings.

(3) The Chancellor or the Government, may by order direct to hold the meetings to discuss such terms of reference as may be specified by them and the Vice-Chancellor shall comply with such directions.

25. Powers of the Syndicate.- (1) The Syndicate shall have the power to manage the affairs of the University, in particular, to administer the funds and properties of the University.

(2) Without prejudice to the generality of the foregoing powers, the Syndicate shall have the following powers, namely:-

- (i) to manage and regulate the finances and all other administrative matters of the University and for that purpose to appoint such agents as it may deem necessary and proper;
- (ii) to enter into, vary, carryout and cancel contracts on behalf of the University;
- (iii) to appoint, subject to the provisions of section 33, examiners if necessary to change or to remove them and also to fix their fees, emoluments and travelling and other allowances;
- (iv) to make arrangements for the conduct of examinations prescribed by the Statutes, Ordinances or Regulations;
- (v) to receive, acquire, hold, control and administer the properties of the University, both movable and immovable and to invest the funds of the University judiciously in appropriate schemes;
- (vi) to cause to be maintained proper accounts of the properties and funds of the University;
- (vii) to charge and collect fees for,-
 - (a) tuition and research;
 - (b) admission to examinations and convocations;
 - (c) such other services as the University may undertake;
 - (d) recognition and inspection of colleges; and
 - (e) such other purposes as may be prescribed by the Statutes;
- (viii) to prepare the financial estimate of the University and to submit the same to the Academic Council.
- (ix) to administer and control the institutions, hostels, libraries, laboratories, museums and other Institutions established or maintained by the University;
- (x) to make recommendations regarding admission of institutions to affiliation;
- (xi) to recognise hostels not administered by the University and to suspend or withdraw such recognition;
- (xii) to regulate, supervise and control the residence and discipline of the students of the University within the campus and its annexes and to promote their health and well being;
- (xiii) to constitute and regulate the working of the Employment Bureau and the Bureau of Information;
- (xiv) to delegate such of its functions to the Vice-Chancellor as may be prescribed by the Statutes;
- (xv) to select a common seal for the University and to provide for its custody and use;
- (xvi) to arrange for the conduct of litigation by or against the University;
- (xvii) to institute Professorship, Associate Professorship, Assistant Professorship or any other posts of teachers required by the University on the recommendation of the Academic Council;
- (xviii) to institute fellowships, travelling fellowships, scholarships, studentships, exhibitions, medals and prizes on the recommendation of the Academic Council;

- (xix) to confer honorary degrees, titles or other academic distinctions; on the recommendations of the Academic Council;
- (xx) to enact, amend or repeal Statutes;
- (xxi) to confer the title of Professor Emeritus on the recommendation of the Academic Council;
- (xxii) to make Statutes for creation of posts;
- (xxiii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act, Statutes, Ordinances or Regulations.

(3) Nothing contained in sub-section (2), shall be deemed to confer on the Syndicate, the power to revise the pay scales of any of the employees or to grant any allowances or emoluments to them.

26. Meeting of the Syndicate.- (1) The Syndicate shall meet at such times and at such places as may be prescribed and subject to the provisions sub-sections (2) and (3), it shall comply with such procedural rules prescribed for the proceedings of its meeting including the quorum to be present at the meeting:

Provided that, the Syndicate shall meet atleast once in three months.

(2) The Vice-Chancellor or in his absence, any member elected by the members present, shall preside over the meeting.

(3) All the questions relating to any meeting of the Syndicate shall be decided through majority by members present and voting and in case of equal votes, the Vice-Chancellor or the second member presided shall cast the deciding vote.

(4) (a) The Syndicate, for the purpose of consultation, may invite any person having special knowledge and diplomatic experience of the subject matter to be present at any meeting and the person may talk about it and otherwise participate in the proceedings of the meeting. But he shall not be eligible to vote.

(b) The person so invited, shall be eligible for such daily allowance and traveling allowance permitted to the members of the Syndicate.

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

- (i) The Vice-Chancellor;
- (ii) Five experts in the field of folklore nominated by the Government for a term not exceeding three years;
- (iii) Two Deans of the Faculties nominated by the Vice-Chancellor by rotation in the order of seniority each for a term of two years;
- (iv) Three Professors of the Faculties nominated by the Vice-Chancellor, by rotation in the order of seniority each for a term of two years;
- (v) Six persons nominated by the Government for a term of three years from amongst experts in folklore of whom one belonging to the Scheduled Castes or the Scheduled Tribes; one

belonging the Other Backward Classes, one representing the women, one representing the religious minority and two representing others;

- (vi) The Chairman of Karnataka Janapada Academy;
- (vii) The Chairman, Karnataka Yakshagana Bayalata Academy;
- (viii) The Chairman, Tulu Academy;
- (ix) The Chairman, Kodava Academy;
- (x) The Chairman, Kannada Sahitya Parishat;
- (xi) The Chairman, Karnataka Sahitya Academy;
- (xii) The Chairman, Karnataka Lalita Kala Academy;
- (xiii) The Director, Academic, Planning, Monitoring and Evaluation Board;
- (xiv) The Registrar, Member Secretary;

Provided that, no person who is in the employment of the university in whatever capacity shall be eligible for nomination.

(2) The Academic Council shall meet atleast four times during an academic year, however that the duration between two consecutive meetings shall not exceed three months.

28. Powers of the Academic Council.- (1) The Academic Council shall be the academic body of the University and shall subject to the provisions of this Act, the Statutes, Ordinances and Regulations, have the control and general regulation of, and be responsible for the maintenance of, the standards of instruction, education and examination of the University.

(2) Without prejudice to the generality of the foregoing powers and subject to such conditions as may be specified by or under the provisions of this Act, the Academic Council shall exercise the following powers, namely:-

- (i) to make proposal for issue of Ordinances, relating to academic matters;
- (ii) to make Regulations regarding the courses of study in so far as they are not covered by the Ordinances;
- (iii) to make Regulations regarding the scheme of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or academic distinctions;
- (iv) to make Regulations for declaration of the results of the various University examinations;
- (v) to arrange for co-ordination of studies and of teaching in recognised institutions;
- (vi) to formulate schemes for promoting research within the University or for promoting other specialised studies;
- (vii) to make proposals for allocating subjects to faculties and to assign its own members to the faculties;
- (viii) to determine the criteria for grant of exemptions relating to the admission of students to examinations;

- (ix) to make proposals for the institution of posts of Professorships, Associate Professors, Assistant Professors and other posts of teachers required by the University and for prescribing the duties of such posts;
- (x) to make proposals for the institution and award of fellowships, scholarships, studentships, or exhibitions;
- (xi) to make Regulations prescribing equivalence of examinations;
- (xii) to make Regulations for granting exemptions from approved courses of study in the University or in the recognized institutions to qualify for degrees, diplomas and other academic distinctions;
- (xiii) to provide for instruction, teaching and training in such branches of learning and courses of study as may be appropriate for research and for the advancement and dissemination of learning;
- (xiv) to make such provision to enable recognised institutions to undertake trainings in distinct arts;
- (xv) to consider the annual financial estimates;
- (xvi) to amend or repeal any regulation;
- (xvii) to nominate members to the various authorities of the University;
- (xviii) to exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Act or the Statutes, Ordinances or Regulations, made thereunder;
- (xix) to establish and maintain departments of research and specialised studies; and
- (xx) generally to advise the University in all relations to protect, promote, train in the field of folklore.

29. The Finance Committee.- (1) There shall be a Finance Committee consisting of the following members, namely:-

- (i) the Vice - Chancellor;
- (ii) the Secretary to Government in charge of Finance Department or his nominee not below the rank of a Deputy Secretary;
- (iii) the Secretary to Government incharge of Education or his nominee not below the rank of a Deputy Secretary;
- (iv) the Secretary to Government incharge of Planning Department or his nominee not below the rank of a Deputy Secretary;
- (v) two Members nominated by the Syndicate, of whom one shall be a Professor and one shall be a person nominated by the Chancellor to the Syndicate;
- (vi) one Member nominated by the Academic Council;
- (vii) the Registrar.

(2) For any reason, the Officer referred in clause (ii), (iii) or (iv) under sub-section (1) unable to attend any meeting of the Finance Committee, he may depute any officer of his department who is not below the rank of the Deputy Secretary to Government to be present at the meeting. The Officer

or the deputed person shall have right to participate in the discussions and to cast vote in the committee.

(3) The Finance Committee shall meet atleast once in three months.

(4) The Finance Committee shall perform the following functions, namely:-

(i) to conduct the general scrutiny of accounts of the University, review the yearly audit reports and make recommendations thereon;

(ii) to scrutinise the annual budget estimates and make recommendations to the Academic Council and Syndicate;

(iii) to scrutinise all proposals of the University involving expenditure for which no provision is made in the budget or involving the expenditure in excess of the amount provided for in the budget including creation, upgradation and abolition of posts in the University;

(iv) such other functions as may be prescribed by the Statutes;

(5) Notwithstanding anything contained in sub-section (4), the Vice-Chancellor may in case of urgency and for reasons to be recorded in writing, incur without the approval of the Finance Committee, any expenditure not exceeding one lakh rupees in any one case for which no provision is made in the budget or which is in excess of the provisions made in the budget:

Provided that such expenditure shall be placed before the Finance Committee for ratification at its immediate next quarterly meeting:

Provided further that if the incurring of expenditure by the Vice-Chancellor is not satisfactory, the Finance Committee may refer it to the Chancellor, whose decision in the matter shall be final.

(6) Where the votes on any subject considered by the Finance Committee are equally divided, the Vice-Chancellor shall have the casting vote.

30. Constitution of Faculties and their functions.- (1) The University shall have the faculties of different fields of folklore like oral, arts, literature, music, handicraft, system of medicine, food, cottage industries, heritage, science and technology, neglected studies and applied folklore and such other subjects as may be prescribed by the Statutes from time to time.

(2) Each faculty shall consist of such number of Departments of Studies as may be assigned to it by the Ordinance.

(3) The Department of Studies in each faculty shall consist of the following members, namely:-

(i) the Dean of Faculty;

(ii) the Director of Academics ;

(iii) the Chairman of the Department;

(iv) honorary Professors, if any, attached to the Department;

(v) persons appointed to conduct Research in the Department;

(vi) such other persons who are members of the Department as may be prescribed in the Ordinance.

(4) Any Department of Studies may be established or abolished by the Statutes.

(5) Each Department of Studies shall have a Chairman who shall also be the Chairman of the Departmental Council.

(6) Each Department of Studies shall have a Departmental Council consisting of,-

- (i) all the Professors and Associate Professors;
- (ii) the senior most Assistant Professor of the Department;
- (iii) the Director of Academics.

(7) The Chairman shall be appointed by the Syndicate for a term of two years, or for such other term as the Syndicate may determine from time to time.

(8) The Chairman shall be incharge of the administration of the Department. The powers, duties and functions of the Departmental Council and of the Chairman shall be as prescribed by the Statutes.

(9) Each Faculty shall consist of the following members, namely:-

- (i) the Dean of the faculty;
- (ii) the Registrar ;
- (iii) the Chairman of the Department of Studies in the faculty;
- (iv) all the Professors and in the absence of Professors, Associate Professors in the Faculty from each Department in the faculty;
- (v) one Associate Professor and one Assistant Professor in each Department of Studies nominated by the Vice-Chancellor by rotation in the order of seniority for a term of two years;
- (vi) two folklore experts nominated by the Vice-Chancellor for a term of two years; and
- (vii) such other persons as may be specified by the Statutes.

(10) The faculties shall exercise such powers and perform such functions as may be prescribed by the Statutes.

31. Board of Studies.- (1) There shall be a Board of Studies for every subject or group of subjects as may be prescribed by the Ordinances.

(2) Without prejudice to the provisions of sub-section (1) the constitution, functions and powers of the Board of Studies shall be as prescribed by the Statutes.

32. Academic, Planning, Monitoring and Evaluation Board.- (1) There shall be a Academic, Planning, Monitoring and Evaluation Board to plan the academic courses, research programmes, interdisciplinary activities, interaction with outside agencies for training, extension and research, and to monitor from time to time the implementation of the programmes and activities formulated by it.

(2) The Academic, Planning, Monitoring and Evaluation Board shall have the following members, namely:-

- (i) the Vice-Chancellor, who shall be the Chairman;
- (ii) the Registrar (Evaluation);
- (iii) two senior most Deans of the Faculties by rotation for a period of one year as recommended by the Vice-Chancellor;

- (iv) two senior most Professors of whom one shall be from heritage, science and technology and the other from among the Professors nominated by the Vice-Chancellor, for a term of two years;
- (v) one expert who is a folklore expert or an educationist with rich experience of teaching and Research and educational administration, nominated by the Government for a term of two years;
- (vi) one officer of the Government in the Planning Department not below the rank of a Deputy Secretary or a Joint Director of Planning, nominated by the Government.

(3) Academic, Planning, Monitoring and Evaluation Board shall meet atleast once in three months. Every resolution of the Academic, Planning, Monitoring and Evaluation Board shall be placed before the Academic Council and Syndicate for consideration and taking action thereon.

33. Board of appointment of Examiners.- (1) There shall be a Board of appointment of Examiners constituted for each faculty for the purpose of preparing a list of examiners for each year.

(2) Each such Board of appointment of Examiners shall consist of the following members, namely:-

- (i) the Vice-Chancellor who shall be the Chairman;
- (ii) the Registrar (Evaluation);
- (iii) the Dean of the Faculty concerned;
- (iv) the Chairman of the Board of Studies in the particular subject;
- (v) two teachers teaching subjects within the concerned Department of Studies in the Faculty nominated by the Vice-Chancellor; and
- (vi) two teachers teaching Post graduate Subjects within concerned Department of Studies in the Faculty nominated by the Vice-Chancellor.

(3) The Board of appointment of Examiners shall prepare the list of examiners from amongst the persons included in the panels to be prepared by the Board of Studies and submit it for approval to the Syndicate.

(4) The Syndicate shall not make any change in the list except after passing a resolution specifically indicating the grounds on which such a change is suggested or made.

(5) If for any reason any examiner appointed by the Syndicate is unable to accept the examinership and a fresh appointment cannot be made within time by the Syndicate, the Vice-Chancellor shall appoint another examiner and report such appointment to the Syndicate.

(6) A member of the Board shall not be appointed as examiner except by the resolution passed by the Syndicate with a two-thirds majority of the members present.

34. Other Boards.- (1) The University may establish such other Boards as may be prescribed by Statutes from time to time

(2) The constitution, functions, powers and duties of the Boards established under sub-section (1) shall be as prescribed by the Statutes.

35. The term of office of the members of the Academic Council and Syndicate.- (1) Save as otherwise provided, the term of the office of the members other than the ex-officio members of the Academic Council and the Syndicate shall be three years.

(2) Notwithstanding anything contained in this Act, the Academic Council and the Syndicate shall be reconstituted once in three years simultaneously.

36. Restriction of holding the membership of the authorities.- (1) Any member nominated to any of the authorities under this Act, shall hold office during the pleasure of the nominating authority concerned.

(2) Any person nominated to any of the authorities under this Act, shall not be eligible for being nominated for a second term.

(3) Any member nominated to any of the authorities shall be liable to be removed from such membership at any time by the Chancellor on the ground of mis-behaviour, misconduct or otherwise after holding an enquiry.

(4) Notwithstanding anything contained in this Act but save as otherwise provided, any employee of the University, both teaching and non-teaching or administrative or any person in the management of an institution in whatever capacity shall not be eligible for nomination as member of any of the authorities under this Act.

37. Disqualification of membership.- (1) A person shall be disqualified for election or nomination as a member of any of the authorities of the University, if on the date of such election or nomination, if he is,-

- (a) of unsound mind; or
- (b) adjudicated as an insolvent or an undischarged insolvent; or
- (c) sentenced by a criminal court to imprisonment for any offence involving moral turpitude.

(2) In case of any dispute or doubt, the Syndicate shall determine whether a person is disqualified or not under sub-section (1) and its decision shall be final.

38. Disqualification for nomination to Academic Council and Syndicate in certain cases.-

(1) Notwithstanding anything contained in section 27 or 24, no person who has held office as a member for a total period of six years in any one or both of the following authorities, namely:-

- (a) the Academic Council; and
- (b) the Syndicate;

shall be eligible for nomination to any of the said two authorities:

Provided that prior to making any such order the Government shall give an opportunity to the University.

Explanation.- For the purpose of computing the total period of six years referred to in this sub-section, the period of three years during which a person held office in one authority by nomination and the period of three years during which he held office in another authority by

nomination shall be taken into account, and accordingly such person shall not be eligible for nomination to any one of the said two authorities:

Provided further that for the purposes of this sub-section, a person who has held office in any one of the said two authorities in a casual vacancy, shall be deemed to have held office for a period of three years in that authority:

Provided also that for the purposes of this sub-section if a person is nominated to one authority and such person becomes a member of another authority by virtue of the membership in the first mentioned authority, the period for which he has held office in first mentioned authority alone shall be taken into account.

(2) Nothing in sub-section (1), shall have application in respect of,-

- (a) members referred to in sub-section (1) of section 27 not including members of the Academic Council who are not otherwise members of the Syndicate; and
- (b) members referred to as ex-officio members.

CHAPTER - V

STATUTES, ORDINANCES, REGULATIONS AND RULES

39. Statutes.- (1) Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:-

- (i) the constitution, functions and powers of the authorities of the University and such other bodies as may be declared to be authorities of the University from time to time;
- (ii) the appointment and continuance in office of members of the said authorities or bodies, including the continuance in office of the first members and the filling of vacancies of members and all other matters relating to those authorities or bodies of which it may be necessary or desirable to provide;
- (iii) the conferment of honorary degrees;
- (iv) holding of convocations for conferring degrees and diplomas; and issue of degree certificates in case of urgency before convocation.
- (v) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (vi) the establishment, maintenance and abolition of faculties, departments, hostels and institutions;
- (vii) the conditions under which institutions may be recognised and such recognition may be withdrawn;
- (viii) the institution, of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (ix) the institution, suspension or abolition of posts of Professors, Associate Professors, Assistant Professors, administrative posts;
- (x) creation of posts;
- (xi) the method of recruitment of teachers in the universities and recognised institutions:

Provided that the scales of pay of the employees excluding those who are drawing University Grant Commission scales of pay shall be commensurate with the scales of pay applicable to Government employees.

- (xii) the acceptance and management of bequests, donations and endowments.
- (xiii) fees to be charged for the courses of study in the University and in the recognised institutions and for admissions to the examinations, degrees and diplomas of the University.
- (xiv) fees to be charged for the services rendered by the University;
- (xv) the conditions of service of the employees including the emoluments; and
- (xvi) all other matters which by this Act are to be or may be provided for by the Statutes.

(2) The Statutes shall come into force only from the date of the assent of the Chancellor or on such other date as the Chancellor may direct.

(3) The Statutes governing conditions of service of employees including the emoluments shall be in conformity with the policy of the Government.

40. Enactment of Statutes and their making.- (1) The Statutes shall be made, amended or repealed by the Syndicate in the manner hereinafter provided.

(2) The Syndicate may take up for consideration the draft of a Statute either on its own motion or on a proposal made by the Academic Council. When the draft is not proposed by the Academic Council, the Syndicate shall obtain the opinion of the Academic Council thereon before considering the same.

(3) The Syndicate shall obtain the opinion of the Finance Committee in respect of such of the Statutes involving financial implications.

(4) The Syndicate if it thinks necessary may also obtain the opinion of any officer, authority or body of the University in regard to draft of the Statute before taking it up for consideration.

(5) Every Statute passed by the Syndicate shall be transmitted to the Government for submission to the Chancellor for assent with its specific recommendations.

(6) The Government shall on receipt of the draft Statute submit such draft Statutes along with its comments and specific recommendation to the Chancellor within two months from the date of its receipt and the Chancellor may within one month of the date of receipt of the draft Statute from the Government assent or withhold his assent thereto or refer it to the Syndicate for further consideration.

(7) A Statute passed by the Syndicate shall not be given into effect, until it is assented to by the Chancellor.

41. Ordinances.- (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:-

- (i) admission of students to the University and their enrolment as such;
- (ii) courses of study for all degrees, diplomas and certificates of the University;

- (iii) degrees, diplomas and certificates and other requirements for the same and the measures to be taken relating to the granting and obtaining the same;
- (iv) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (v) conduct of examinations, including the terms of office and the duties of examining bodies, examiners and moderators;
- (vi) conditions of residence of the students of the University;
- (vii) special arrangements, if any which may be made for the residence, discipline and teaching of women students and prescribing for them special course of study where necessary.
- (viii) regulating the giving of religious instruction;
- (ix) management of study centers and other institutions founded or maintained by the University;
- (x) supervision and inspection of institutions and other institutions recognised to the University;
- (xi) conditions for recognition of hostels not maintained by the University;
- (xii) health and discipline of, and disciplinary proceedings against, students in the University and in the recognised institutions and other institutions;
- (xiii) rules to be observed and enforced by the institutions and recognised institutions in respect of transfer of students; and
- (xiv) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinance.

(2) No Ordinance shall be made for amending any of the Regulations or the Statutes in force.

42. Procedure for making of Ordinances.- (1) The Ordinances may be made by the Syndicate in the manner hereinafter provided.

(2) In making the Ordinances, the Syndicate shall consult,-

- (i) the Board or the Boards of Studies concerned when such Ordinances affect the duties of examiners; and
- (ii) the Academic Council when such Ordinances affect the courses of study, conduct or the standard of examinations or the conditions of residence of students.

(3) The Syndicate shall not have power to amend the draft of any Ordinance proposed by the Academic Council but it may reject the proposal or return the draft to the Academic Council for reconsideration, either in whole or in part together with such amendments as the Syndicate may suggest.

(4) All Ordinances made by the Syndicate shall have effect from such date as it may direct. But every Ordinance shall be submitted to the Chancellor within two weeks of making thereof for his approval. The Chancellor, may, within four weeks of the receipt of the Ordinance, by order, direct, that the operation of any Ordinance be suspended and shall as soon as possible inform the Syndicate of his objection to it. He may after receiving the comments of the Syndicate either withdraw the order of suspension or disallow the Ordinance. His decision shall be final:

Provided that in case of an ordinance containing a proposal which involves expenditure from the Consolidated Fund of the State, the Chancellor shall consult the Government before according his approval.

(5) Where the Syndicate has rejected the draft of an Ordinance proposed by the Academic Council, the Academic Council may appeal to the Chancellor.

(6) The Chancellor may, after obtaining the comments of the Syndicate, either reject the appeal or approve the Ordinance as proposed by the Academic Council. Thereupon the Ordinance shall have effect as if made by the Syndicate.

43. Regulations.- (1) The Academic Council may make the Regulations consistent with this Act, the Statutes and Ordinances providing for exercising all or any of the powers conferred on it and particularly for the following matters, namely:-

- (i) admission of students to the University;
- (ii) recognition of examinations and degrees of other Universities as equivalent to the examinations and degrees of the University;
- (iii) the University courses and examinations and conditions on which students of the University or the recognised institutions or other university institutions shall be admitted to examinations or degrees, diplomas and other certificates of the University;
- (iv) grant of exemptions.

(2) All regulations passed by the Academic Council shall be sent to the Government for submission to the Chancellor for approval. The Government shall transmit the Regulations within two months from the date of receipt thereof from the University to the Chancellor with its comments. The Chancellor may within one month of the date of receipt of the regulations from the Government either approve them or refer them to the Academic Council for further consideration.

(3) Every regulation shall come into force on the date of their approval by the Chancellor or on such other date as the Chancellor may direct.

44. Rules.- (1) The Syndicate may make rules consistent with this Act, the Statutes, the Ordinances and the Regulations.

(2) The rules may provide for,-

- (i) giving of notice of meeting to the members of each authority or Board, of the dates of meeting and of the business to be transacted at the meetings and also for keeping a record of the proceedings of meetings;
- (ii) the procedure to be followed at meetings and the number of members required to form the quorum for meetings; and
- (iii) all matters solely concerning such authority or Board and not provided for by this Act, the Statutes, the Ordinances or the Regulations.

(3) Every rule made under this section shall come into force on the date it is approved by the Syndicate.

CHAPTER - VI
FINANCE AND ACCOUNTS

45. University Funds.- (1) The amounts received from any of the following sources shall form part of the University Fund,-

- (i) any contribution or grant made by the University Grants Commission or the Central Government;
- (ii) any contribution or grant made by the Government;
- (iii) any bequests, donations, endowments or other grants made by private individuals or institutions;
- (iv) the income received by the University from fees and charges;
- (v) any contribution or bequests from the Industries. traders or entrepreneurs;
- (vi) any contribution or endowments from foreign Governments or any foreign Institutions or companies subject to any law for the time being in force;
- (vii) the amounts received from any other source.

(2) The said fund shall be kept in a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or in a corresponding new bank constituted under the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 or may be invested in securities authorised by the Indian Trusts Act, 1882, as may be decided by the Syndicate.

(3) The said fund may be employed for any of the purposes of the University in the manner prescribed by the Statutes.

46. Annual Accounts and Audit.- (1) The annual accounts of the University shall be prepared under the direction of the Syndicate.

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

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

(4) The Accounts so audited will be placed before the Academic Council and the Syndicate and thereafter transmitted to the Government with comments before the end of September each year. The Government shall lay the same before both Houses of the State Legislature at their next earliest session.

47. Financial Estimates.- (1) The Syndicate shall prepare with the assistance of the Finance Officer before such date as may be prescribed by the Statutes, the financial estimates for the ensuing year and get them scrutinised by the Finance Committee and place the same before the Academic Council.

(2) The Syndicate may, in cases where expenditure in excess of the amount provided in the budget is to be incurred or in cases of urgency, for reasons to be recorded in writing incur expenditure subject to such restrictions and conditions specified in the Statutes. Where no provision has been made in the Budget in respect of such excess expenditure, a report shall be made to the Academic Council at its next meeting.

(3) The budget estimates of the University shall be prepared keeping in view the anticipated grants from the Government and all other sources including mobilisation of its resources. However, supplementary budget estimates may be placed before the Syndicate in October every year in anticipation of any additional grants, but, no expenditure on this part should be incurred unless such additional grants are received.

(4) The University shall, without the prior approval of the Government not divert for other purposes earmarked funds or revise scales of pay of its staff or implement any scheme which involves any matching contribution from the Government or a scheme which imposes a recurring liability on the Government after the assistance from the sponsoring authorities ceases:

Provided that no prior approval is necessary where a scheme or a programme which imposes a recurring liability on the University, but funded by the University Grants Commission, the Central Government or met out of the interest derivable from a corpus or contribution or donation or endowment instituted by a private sector or individual or institutions and such a recurring liability does not cast any burden on the Government and the entire expenditure in that respect is met out of the university funds.

48. Powers of the Government to direct Audit.- (1) The Government shall have the power to direct, whenever deemed necessary, an audit of the accounts of the University, including those of the institutions managed by it, by such auditors as it may specify.

(2) Whenever the accounts of the University are audited by the Accountant General and the report thereof with observations or in respect of the items held for want of clarifications are made available to the University for further comments or remarks the University shall within thirty days from the date of receipt of such report, furnish its comments or remarks to the Accountant General through the Government.

49. Annual Report.- (1) The Syndicate shall prepare the annual report containing all the particulars highlighting the activities of the University, target and achievements concerning each financial year and submit it to the Academic Council before 30th June. The Academic Council may pass resolutions thereon and refer back the annual report to the Syndicate for compliance. The Syndicate shall take action in accordance therewith. The action taken thereon shall be intimated to the Academic Council at its earliest next meeting.

(2) Copies of the annual report incorporating the resolutions of the Academic Council shall be submitted to the Government before 30th of September every year. The Government shall lay the same before both the houses of the State legislature at their next earliest sessions.

CHAPTER - VII

VACANCIES ON THE AUTHORITIES

50. Vacating of Office.- (1) Any member other than the ex-officio member of any authority or body of the University may resign his office. The letter of resignation written in hand by the member shall be sent to the Vice Chancellor. Such resignation shall take effect immediately on its acceptance and communication to the concerned.

(2) Any member of the authority or body of the University who is nominated in his capacity as a member of a particular body or as a teacher or where expressly stated so, as the holder of a particular appointment shall continue to be a member of such Authority or body so long as he continues to be a member of that particular body or teacher or the holder of that particular appointment:

Provided that such of the teachers who are continued on attaining superannuation till the end of the academic year on re-employment basis, shall cease to be members of such authority or body on attaining superannuation.

(3) A member of any authority or body of the University shall cease to be member on his being convicted by a Court of law for any offence involving moral turpitude.

51. Filling of vacancies.- All vacancies among the members, other than the ex-officio members of any authority or other body of the University arising by reason of death, resignation, removal or otherwise shall be filled as soon as conveniently as may be, by the person or body that nominated, the member whose place has become vacant and the person so nominated shall be a member of such authority or body for the un-expired portion of term for which the member in whose place the person is nominated would otherwise have continued in office:

Provided that pending the nomination of any person to fill any such vacancy in the manner aforesaid the vacancy may be filled by the person or body that nominated, by nominating a person qualified to fill such vacancy under the provisions of this Act and any person so nominated shall hold office as a member of such authority or body until another person is nominated thereto in accordance with the provisions of this Act:

Provided further that no casual vacancy shall be filled, if such vacancy occurs within six months before the date of the expiry of the term of the members of any authority or other body of the university.

CHAPTER - VIII

APPOINTMENT OF TEACHERS AND OTHER EMPLOYEES OF THE UNIVERSITY

52. Appointment of Teachers, Librarians.- (1) There shall be a Board of Appointment for selection of persons for appointment as teachers and librarians in the University.

(2) Every such Board for selection,-

(A) to the post of Professors, Associate Professor and Assistant Professors shall consist of,-

(i) The Vice-Chancellor-ex-officio Chairman;

- (ii) The Chairman of the Departmental Council concerned, if he is a Professor and if he is not a Professor, a Professor from the same Department, and if there is no Professor, a Professor in the concerned Department from any other University in the State nominated by the Chancellor, on the recommendation of the Government:

Provided that if no such Professor is available in any of the universities in the State, such Professor in the concerned Department from a Central Institute within the State or from a university in any other State shall be nominated.

- (iii) Four experts to be nominated by the Chancellor on the recommendation of the Government from among the persons serving in any University of the State or any other institutions recognised by the Government of whom one shall be a person belonging to Scheduled Castes or Scheduled Tribes and another to Other Backward Classes:

Provided that if such persons are not available in any of the Universities in the State, such persons serving in any other University in India shall be nominated.

- (B) to the post of lecturer shall consist of,-

- (i) Vice-Chancellor-ex-officio Chairman;
- (ii) three experts to be nominated by the Chancellor from the panel of University Grant Commission of whom one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and another to Other Backward Classes.
- (iii) the Chairman of the Departmental Council concerned, if he is a Professor and if he is not a Professor, a Professor in the same Department and in case there is no Professor in the Department, a Professor in any other university in the State in the same Department to be nominated by the Government and where no such Professor is available in any university in the State, such Professor in the concerned Department from a Central Institute within the State or from a University in any other State to be nominated by the Government.

- (C) to the post of Librarian shall consist of,-

- (i) The Vice-Chancellor-Ex-Officio Chairman;
- (ii) Three Library experts to be nominated by the Chancellor from the panel of the University Grant Commission of whom one shall be a person belonging to the Scheduled Castes or Scheduled Tribes and another to Other Backward Classes;
- (iii) One Librarian nominated by the Government among the Librarians of the Library in any other University in the State and where no such Librarian is available in any University in the State, a Librarian of the Central Institute within the State.

- (3) The Registrar shall be the Member-Secretary of the Board.

(4) Every post of Professor, Associate Professor, Assistant Professor or Lecturer to be filled by selection shall be widely advertised together with the minimum and other qualifications, experience, the scale of pay, the number of posts, the last date for receipt of applications and classification of vacancies among the Scheduled Castes, the Scheduled Tribes and Other Backward Classes:

Provided that such of the teachers who are already in the services of the University who possess minimum qualification and fulfill other requirements specified in the advertisement shall also be called for interview and their cases shall be considered on par with the other applicants.

(5) The quorum for a meeting of the Board shall be four of whom in the case of selections to the post of Professors, Associate Professor, Assistant Professor and Librarian, atleast two shall be experts and in the case of selection to the other posts, atleast one shall be an expert;

(6) The Board shall interview and adjudge the merit of each candidate in accordance with the qualifications advertised, possessed and the performance in the interview. The manner of interview shall be as prescribed by the statute.

(7) The Board shall prepare a list of persons selected and arranged in the order of merit, the merit being determined on the basis of percentage of marks obtained in the qualifying examinations, weightage awarded for the higher qualification and the marks secured in the interview. The select list shall be forwarded to the Syndicate which shall consider and approve the same. Thereafter the Syndicate shall make appointments by operating the select list from among the candidates selected and arranged in the order of merit:

Provided that in case of difference of opinion between the Syndicate and the Board of Appointment and , where it is of the opinion that the list does not satisfy the provisions of the Act or the Statutes or the guidelines issued from time to time by the University Grants Commission or similar statutory authorities, it shall refer the matter back to the Board for fresh interview and selection:

(8) In preparing the list under sub-section (7), the Board of Appointment shall follow the orders issued by the Government from time to time in the matter of reservation of appointments and posts, for the persons belonging to the Scheduled Castes, the Scheduled Tribes and Other Backward Classes.

(9) Whenever any new subject is introduced in the University or any new Department is established, the appointment of Professors, Associate Professors, Assistant Professors and Lecturers in such a subject or Department, as the case may be, shall be made under the provisions of this section.

(10) Notwithstanding anything contained in the preceding sub-sections, the Syndicate shall be competent to invite on the recommendation of the Vice-Chancellor a person of high academic distinction and professional attainments in the field of folklore without technical qualification to accept the post of visiting Professor in the University on such terms and conditions as may be mutually agreed upon, which shall not be more than fourteen such visiting Professors at any given time.

53. Appointment in accordance with the promotion schemes.- (1) Notwithstanding anything contained in section 52 but subject to the rules and orders of the Government issued from time to time for reservation of appointment and posts for the persons belonging to Scheduled Castes and Scheduled Tribes under Article 16(4) and 16(4A) of the Constitution, the appointment to the post of

Professors, Associate Professors and Lecturer of the University and Principals, Assistant Professors and Lecturer in the constituent Colleges shall be made by the Syndicate in accordance with the scheme governing promotions as prescribed by the Statutes adopting the schemes evolved by the University Grants Commission.

(2) The selection shall be as prescribed by the Statutes and supplemented by the norms and guidelines of the University Grants Commission.

54. Temporary appointment.- (1) Notwithstanding anything in sections 52, 53 and 55, the Vice-Chancellor may make temporary appointments of not more than one year duration to posts of Lecturers and such non-teaching staff as may be specified in the Statutes where such posts are either temporary or appointments to such posts cannot be made in accordance with sections 52, 53 and 55 without delay.

(2) The appointments under sub-section (1) shall be made only against sanctioned posts, and in the manner prescribed by the Statutes.

55. Appointment of Administrative, Ministerial and other Staff.- (1) There shall be constituted a Board of Appointment to select the candidates for appointment to administrative, ministerial and other posts in the University.

(2) The Board shall consist of,-

- (i) the Vice-Chancellor-ex-officio Chairman;
- (ii) a member nominated by the Academic Council;
- (iii) a member nominated by the Syndicate;
- (iv) three administrative experts;
- (v) an expert nominated by the Vice-Chancellor;
- (vi) the Registrar;

(3) The Board shall prepare a list of candidates for appointment to the direct recruitment vacancies arranging the names in the order of merit being determined on the basis of the percentage of marks obtained by them in the qualifying examinations and the marks awarded in the interview.

(4) While preparing the select list under sub-section (3), the Board shall follow the rules or orders issued by the Government from time to time in the matter of reservation of appointments or posts for persons belonging to the Scheduled Castes and the Scheduled Tribes and Other Backward Classes, under Article 16(4) of the Constitution.

(5) All appointments shall be made by the Syndicate by operating the select list prepared by the Board in the order of merit in which the names have been arranged. If any difference arises between the Board and the Syndicate, the matter shall be referred to the Chancellor, through the Government in the Department of Education. The decision of the Chancellor upon such reference shall be final.

(6) The quorum for the meeting shall be four.

CHAPTER - IX

RECOGNITION TO CERTAIN INSTITUTIONS

56. Recognition of certain Institutions.- (1) Any institution situated within or outside the University area other than an institute which conducts research or specified studies or specialised studies that pursues collection, preservation and promotion of folklore may be recognised by the Syndicate as a recognised institution for such purpose and in such manner and subject to such conditions as may be prescribed by the Statute.

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

57. Inspection of Institutions.- (1) Every recognized institution including permanently recognized institution shall furnish to the Registrar such reports, returns and other information as the Syndicate in consultation with Academic Council may require to judge the efficiency of the institution and the academic quality achieved.

(2) The Syndicate shall cause every such institution to be inspected from time to time by a committee constituted for the purpose.

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

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

CHAPTER - X

ENROLMENT AND DEGREES

58. Eligibility for admission of students.- No student shall be eligible for admission to a course of study, a degree or diploma unless he possesses such qualifications in the field of folklore as may be prescribed by Statutes from time to time.

59. Honorary degrees .- (1) If not less than two thirds of the members of the Syndicate recommend that an honorary degree or other academic distinction be conferred on any person on the ground that he is in its opinion, by reason of eminent attainment and position, fit and proper to receive such degree or academic distinction, the Syndicate may recommend the same for the approval of the Chancellor for conferment of such degree on the person concerned.

(2) The honorary degree or distinction may be conferred only in exceptional cases. It shall not be conferred as a matter of course. Only such of the persons who have contributed substantially to the advancement of oral folklore, study of folk art, folk music or any other subject assigned to the faculty of folklore or conspicuous service rendered by them to the cause of education shall be identified for the purpose of grant of such honorary degrees.

60. Withdrawal of degree or diploma.- (1) The Syndicate may on the recommendation of the Academic Council withdraw any distinction, degree, diploma or privilege conferred on or granted to, any person by a resolution passed by a majority of the total members of the Syndicate and by a

majority of not less than two-thirds of the members present and voting at the meeting, if such a person has been found to have obtained such a degree or diploma or certificate-fraudulently or has obtained admission through a false caste certificate.

(2) No action under this section shall be taken against any person unless he has been given an opportunity to show cause against the action proposed to be taken.

(3) A copy of the resolution passed by the Syndicate shall be immediately sent to the person concerned.

(4) Any person aggrieved by the decision taken by the Syndicate may appeal to the Chancellor within thirty days from the date of receipt of such resolution.

(5) The decision of the Chancellor on such appeal shall be final.

CHAPTER - XI

MISCELLANEOUS AND TRANSITORY PROVISIONS

61. Discipline.- (1) The final authority responsible for maintenance of discipline among the students of the University shall be the Vice-Chancellor. His directions in that behalf shall be carried out by the heads of the institutions and hostels recognized by the university.

(2) Notwithstanding anything contained in sub-section (1),-

(i) the punishment of debarring a student from examinations shall, on the report of Vice-Chancellor be considered and imposed by the Syndicate; and

(ii) the punishment of rustication from an institution or a hostel shall be imposed by the head of the institution or hostel concerned.

(3) No resolution of any Authority or body of the University shall be deemed to be invalid on account of any irregularity in the service of notice upon any member:

Provided that the proceedings of such authority or body were not prejudicially affected by such irregularity.

62. Act to prevail over other enactments.- This Act and Statute or Regulation or Rules or Ordinance made thereunder shall in respect of any institution in the University Area have effect notwithstanding anything inconsistent therewith contained in any other enactment with respect to matters enumerated in List II of the Seventh Schedule to the Constitution of India.

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

64. Proceedings of the University authorities and bodies not invalidated by vacancies.- No act or proceeding of any authority or other body of the university shall be invalidated merely by reason of the existence of any vacancy or of any defect in its constitution or irregularity in the

appointment of a member of any authority or other body of the University or of any defect or irregularity in such act or proceeding not affecting the merits of the case.

65. Removal from membership of the University.- (1) The Syndicate may remove by an order in writing made in this behalf any person from membership of any authority of the University by a resolution passed by a majority of the total membership of the Syndicate and by a majority of not less than two thirds of the members of the Syndicate present and voting at the meeting, if such person has been convicted by a criminal court for an offence which in the opinion of the Syndicate involves moral turpitude or if he has been guilty of gross misconduct and for the same reason, the Syndicate may withdraw any degree or diploma conferred on or granted to that person by the University.

(2) The Syndicate may also by an order in writing made in this behalf, remove any person from membership of any authority of the University if he becomes of unsound mind or has applied to be adjudicated or has been adjudicated as an insolvent.

(3) No action under this section shall be taken against any person unless he has been given a reasonable opportunity to show cause against the action proposed to be taken.

(4) A copy of every order passed under sub-section (1) or sub-section (2), as the case may be, shall, as soon as may be, after it is so passed be communicated to the person concerned in the manner prescribed.

66. Relations of recognized institutions with the University.- The relation of the recognized institutions with the University shall be governed by the Statutes to be made in that behalf and such Statutes shall provide in particular for the exercise by the University of the powers in respect of the recognized institution of the University to co-ordinate and regulate the facilities provided and expenditure incurred by such institution in regard to libraries, laboratories and other equipment for teaching and research.

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

68. Constitution of committees.- All the authorities of the University shall have power to constitute or reconstitute committees and to delegate to them such of their powers as they deem fit. Such committees shall save as otherwise provided, consist of members of the authority concerned and of such other persons, if any, as the authority in each case may think fit.

69. Power to obtain information.- Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, by order in writing, call for any information from the University on any matter relating to the affairs of the University and the University shall, if such information is available with it, furnish the Government with such information within a reasonable period:

Provided that in the case of information which the University considers confidential, the University may place the same before the Pro-Chancellor.

70. Appointment of first Vice-Chancellor.- Notwithstanding anything contained in section 13 within six months from the date on which this Act comes into force, the first Vice-Chancellor shall be appointed by the Government for a period not exceeding four years and on such other conditions as it thinks fit:

Provided that the person appointed as first Vice-Chancellor shall retire from office, if during the term of his office, he completes the age of sixty-seven years.

71. Transitory powers of the first Vice-Chancellor.- (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Academic Council, Syndicate and such other authorities of the University within six months of the notified date or such longer period not exceeding one year as the Government may, by notification, direct.

(2) The first Vice-Chancellor shall in consultation with the Government make such rules as may be necessary for the functioning of the University.

(3) The authorities constituted under sub-section (1) shall commence to exercise their functions on such date as the Government may, by notification specify in this behalf.

(4) It shall be the duty of the first Vice Chancellor to draft such statutes as may be necessary and submit them to the Syndicate for their approval. Such statutes when framed shall be published in the Karnataka Gazette.

(5) Notwithstanding anything contained in this Act and the statutes and until such time an authority is duly constituted, the first Vice-Chancellor may appoint any officer or constitute any committee temporarily to exercise and perform any of the powers and duties of such authority under this Act and the statutes.

72. Vice-Chancellor and other officers, etc., to be public servants.- The Vice-chancellor, the Registrar, the Finance Officer and other employees of the University shall be deemed when acting or purporting to act in pursuance of any of the provisions of this Act to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act XLV of 1860).

73. Special mode of appointment.- (1) The Syndicate may invite a person of high academic distinction and professional attainments to accept a post of a teacher or Research Officer in the University on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post, subject to the approval by the Chancellor.

(2) The Syndicate may appoint a teacher or any other member of the academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner prescribed.

74. Transitory provisions.- Notwithstanding anything contained in this Act, the Vice-Chancellor may, with the previous approval of the Chancellor discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act, and for that purpose may exercise

any powers or perform any duties which by this Act are to be exercised or performed by any Authority of the University until such authority comes into existence as provided by this Act.

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

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

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

76. Repeal and Savings.- (1) The Karnataka Janapada Vishwavidyalaya Ordinance, 2011(Karnataka Ordinance No. 1 of 2011) 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.

The above translation of the ಕರ್ನಾಟಕ ಜಾನಪದ ವಿಶ್ವವಿದ್ಯಾಲಯ ಅಧಿನಿಯಮ, 2011 (2012ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 11) be published in the Official Gazette under clause (3) of Article 348 of the Constitution of India.

H.R.BHARDWAJ
GOVERNOR OF KARNATAKA

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

G.K. BOREGOWDA
Secretary to Government,
Department of Parliamentary Affairs and Legislation