



KARNATAKA LEGISLATIVE ASSEMBLY
FIFTEENTH LEGISLATIVE ASSEMBLY
THIRD SESSION

THE KARNATAKA STATE UNIVERSITIES (AMENDMENT) BILL, 2019
(LA Bill No. 06 of 2019)

A Bill further to amend the Karnataka State Universities Act, 2000.

Whereas it is expedient further to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) for the purposes hereinafter appearing:

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

1. Short title and commencement.- (1) This Act may be called the Karnataka State Universities (Amendment) Act, 2019.

(2) It shall come into force at once.

2. Amendment of section 3.- In the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) (hereinafter referred to as principal Act), in section 3, -

(i) in sub-section (1), in clause (f), for the word "Mandya", the words "Mandya, except Government College (Autonomous), Mandya " shall be substituted;

(ii) in sub-section (1F), after the words "Bengaluru District", the words and letters "except Maharani's Science College for Women, Bengaluru; Maharani's Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D. Central Institute of Home Science, Bengaluru" shall be inserted;

(iii) after sub-section (1G), the following sub-sections shall be inserted, namely:-

"(1H) There shall be established the Maharani Cluster University, Bengaluru of unitary in nature with head quarters at Bengaluru and territorial jurisdiction extending over Maharani's Science College for Women, Bengaluru; Maharani's Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D. Central Institute of Home Science, Bengaluru.

Explanation.- For the purpose of this sub-section "cluster" means upgraded a single unit of the three colleges as specified in sub-section (1H).

(11) There shall be established the Mandya University, Mandya of unitary in nature with head quarters at Mandya and territorial jurisdiction extending over the Government College (Autonomous), Mandya."

3. Amendment of section 4.- In section 4 of the principal Act after clause (xiii), after the proviso the following proviso shall be inserted, namely:-

"Provided further that, nothing in clause (i), pertaining to correspondence courses, clause (xix) and (xxii) shall apply to the Maharani Cluster University, Bengaluru and the Mandya University, Mandya."

4. Amendment of section 5.- In section 5 of the principal Act,-

(i) in sub-section (1), after third proviso the following shall be inserted, namely:-

"Provided also that, nothing in this sub-section pertaining to affiliation and correspondence courses shall be applicable to the Maharani Cluster University, Bengaluru and the Mandya University, Mandya."

(ii) after sub-section (8), the existing sub-sections (6) and (7) inserted by Act 34 of 2015 shall be renumbered as sub-sections (9) and (10) respectively; and

(iii) after sub-section (10) as so renumbered, the following shall be inserted, namely:-

"(11) Any privilege enjoyed from the Bengaluru Central University by the Maharani's Science College for women, Maharani's Women Arts, Commerce and Management College, Bengaluru and Smt. V.H.D Central Institute of Home Science, Bengaluru, situated in the Karnataka Legislative Assembly Constituency of Gandhinagar, before the date of commencement of the Karnataka State Universities (Amendment) Act, 2019 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and Maharani's Science College for Women, Maharani's Women Arts, Commerce and Management College, Bengaluru, Smt. V.H.D Central Institute of Home Science, Bengaluru previously admitted to the privileges of, or affiliated to, the Bengaluru Central University shall be deemed to be admitted to the privileges of the Maharani Cluster University as constituent colleges or a schools of the said University.

(12) Any privilege enjoyed from the Mysuru University by the Government College(Autonomous), Mandya before the date of commencement of the Karnataka State Universities (Amendment) Act, 2019 shall, with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and the Government College (Autonomous), Mandya shall be deemed to be admitted to the privileges of the Mandya University as constituent college or a school of the said University ."

5. Amendment of section 6.- In section 6 of the principal Act, in sub-section (1), in the proviso, after the words "Akkamahadevi Women University", the words "and the Maharani Cluster University" shall be inserted.

6. Amendment of section 11.- In section 11 of the principal Act, after clause (m), the following proviso shall be inserted, namely:-

"Provided that, in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the officers of the Universities shall, in addition to the officers specified above except clause (f), also consists of the Directors of schools.

Explanation.- For the purpose of this proviso "school" means departments or centers with similar disciplines group together with a Director as specified above."

7. Amendment of section 21.- In section 21 of the principal Act, in sub-section (1) after the third proviso, the following proviso shall be inserted, namely:-

"Provided also that, in respect of the Mandya University, Mandya and the Maharani Cluster University, Bengaluru, the Dean shall be called as Director of schools and faculty shall be called schools."

8. Amendment of section 28.- In section 28 of the principal Act, in sub-section (1), -

(a) in the proviso after clause (k), after the words "Akkamahadevi Woman University" the words "Maharani cluster University" shall be inserted;

(b) after the proviso, the following proviso shall be inserted at the end, namely:-

"Provided further that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the Syndicate shall not consist of the members specified in clauses (b), (c), (d), (f), (i), (j) and (k) specified above but shall consists of the Principal Secretary to Government, Higher Education or his nominee not below the rank of Deputy Secretary to Government, two directors of the schools nominated by the Vice-chancellor for a period of one year by rotation according to seniority."

9. Amendment of section 29.- In section 29 of the principal Act, in sub-section (2), after clause (w), the following proviso shall be inserted, namely:-

"Provided that the provisions of clause (j) shall not be applicable in respect of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya."

10. Amendment of section 30.- In section 30 of the principal Act, in sub-section (1), after the second proviso, the following proviso shall be inserted, namely:-

“Provided also that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the Academic Council shall not consists of members specified in clauses (vi), (ix) but shall consists of the five directors of the schools nominated by the Vice-chancellor by the rotation in the order of seniority, each for a term of two years.”

11. Amendment of section 31.- In section 31 of the principal Act, in sub-section(2), after clause (xx), the following proviso shall be inserted, namely:-

"Provided that in respect of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, the provisions pertaining to affiliation shall not be applicable."

12. Amendment of section 34.- In section 34 of the principal Act, after sub-section (10), the following sub-section shall be inserted, namely:-

"(11) Notwithstanding anything contained in this section, in respect of the Maharani Cluster University, Bengaluru and Mandya University, Mandya, the faculty shall be called as schools and the Deans shall be called as Director of schools."

13. Amendment of section 36.- In section 36 of the principal Act, in sub-section (2), the following proviso shall be inserted at the end, namely:-

“Provided that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, in addition to clauses (i), (ii) and (iv) except clauses (iii), (v) and (vi), specified above also consists of two teachers teaching the subjects within concerned departments of studies in the school nominated by the Vice-chancellor.”

14. Amendment of section 40.- In section 40 of the principal Act, in sub-section (1), after clause (p), the following clauses and proviso shall be inserted, namely:-

- "(q) option for the employees of the colleges to remain in the Universities Service or not, at the time of formation of the University;
- (r) the service conditions of the employees who opt to remain in the University at the time of formation of the University;
- (s) the continuation of Pension or General Provident Fund or Contributory Provident Fund or New Pension Scheme for the benefit and other existing service benefit of the Officers, Teachers and other Servants continued from previous service or employed by the Maharani Cluster University or Mandya Unitary University; and
- (t) extending the career advancement service for the Teachers and superannuation benefit as per UGC guide lines for the Teacher who opted Maharani Cluster University or Mandya Unitary University from colleges:

Provided that in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, clause (g), shall not be applicable."

15. Amendment of section 42.- In section 42 of the principal Act, in sub-section (1), after clause (n), the following proviso shall be inserted, namely:-

"Provided that, in the case of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, clause (j) shall not be applicable."

16. Insertion of new section 58A.- After section 58 of the principal Act, the following new section shall be inserted, namely:-

"58A. Application of provision of sections 59 to 67.- Notwithstanding anything contained in this Act, the provisions of sections 59 to 67 shall not be applicable to the Maharani Cluster University, Bengaluru and the Mandya University, Mandya."

17. Powers of special officer.- The Special officer appointed by the State Government for the purpose of taking steps to establish the Maharani Cluster University, Bengaluru and the Mandya University, Mandya respectively shall exercise such of the powers and perform such of the functions of the University and the Vice-Chancellors as may be specified by the State Government, until the first Vice Chancellor is appointed.

18. Duties of the first Vice-Chancellor.- (1) It shall be the duty of the first Vice-Chancellor to make arrangements for constituting the Syndicate, Academic Council and other authorities of the Maharani Cluster University, Bengaluru and the Mandya University, Mandya, as the case may be within six months from the date of commencement of the Karnataka State Universities (Amendment) Act, 2019 (hereinafter referred to as the Amendment Act) or such longer period not exceeding one year as the Chancellor may direct.

(2) The Authorities constituted under sub-section (1) shall commence to exercise, their powers and perform their functions on such date as the Chancellor may specify in this behalf.

19. Transitory provisions.- (1) Notwithstanding anything contained in the Principal Act as amended by the amendment Act, the first Vice-Chancellors may, with the previous approval of the Chancellor, discharge all or any of the functions of the Maharani Cluster University, Bengaluru or the Mandya University, Mandya, as the case may be, for the purpose of carrying out the provisions of the Principal Act as amended by the amendment Act and for that purpose may exercise any power or perform any duty which by the principal Act as amended by the Amendment Act is to be exercised or performed by any Authority of the University until such Authority comes into existence as provided by the principal Act as amended by the Amendment Act.

(2) All statutes, ordinances, regulations and rules made by the Bengaluru Central University or the Mysuru university as applicable to the colleges or other educational institutions which are deemed to be the constituent colleges or schools of the Maharani Cluster University, Bengaluru or the Mandya University, Mandya, as the case may be, under section 5 of the principal Act shall be deemed to be the Statutes, ordinances, regulations and rules made by the Maharani Cluster University, Bengaluru or the Mandya University, Mandya, as the case may be, and shall continue as such till the Maharani Cluster University, Bengaluru or the Mandya University, Mandya respectively makes its own statutes, ordinances, regulations and rules:

Provided that, the Vice-Chancellor may with the approval of the Chancellor make such modification and adaptations therein as he may consider necessary.

20. Savings of certain examination.- Notwithstanding anything contained in the Principal Act as amended by the amendment Act or the statutes, ordinances, regulations and rules made thereunder, where immediately before the commencement of the amendment Act,-

- (a) any student studying for a degree of the Bengaluru Central University or the Mysuru University in accordance with the statutes, ordinances, regulations and rules in force he may until such examination is provided by the Maharani Cluster University, Bengaluru or the Mandya University, Mandya as the case may be admitted to the examination of the Bengaluru central University or the Mysuru University and be conferred with the degrees or diplomas for which he qualifies on the result of such examination; and
- (b) The Bengaluru Central University or the Mysuru University has held any examination, the result of which has been published but the degrees or diplomas relating thereto have not been conferred or issued or the result of any such examination has not been published by the Bengaluru Central University or the Mysuru University then such examination shall be deemed to have been held by the Bengaluru Central University or the Mysuru University.

21. Removal of difficulties.- If any difficulty arises in giving effect to the provisions of this amendment Act, the State Government may, by order published in the Official Gazette, make such provision as may appear to it be necessary or expedient for the purposes of removing the difficulty:

"Provided that, no such order shall be made after the expiry of the period of two years from the date of commencement of the Amendment Act."

STATEMENT OF OBJECTS AND REASONS

Rashtriya Uchcharat Shiksha Abiyan (RUSA), which is the most ambitious mission and comprehensive scheme for Higher Education Sector, took the initiative of creating Cluster Universities in consideration of addressing the critical gaps in the spatial distribution of Higher Education Institutions across the States. Therefore it is considered necessary to amend the Karnataka State Universities Act, 2000 (Karnataka Act 29 of 2001) to,-

(1) establish the Maharani Cluster University, Bengaluru of unitary nature by pooling the resources of three women colleges, namely:-

(i) Maharani's Science College for Women, Bengaluru;

(ii) Maharani's Women Arts, Commerce and Management College, Bengaluru; and

(iii) Smt. V.H.D Central Institute of Home Science, Bengaluru.

by separating these institutions from Bengaluru Central University, all the aforementioned participating colleges in a Cluster will be the constituent colleges of proposed Cluster University with Maharani's Science Colleges for women as the lead institutions or nucleus around which the Cluster University is established.

(2) establish the Mandya University, Mandya of unitary in nature with head quarters at Mandya with territorial jurisdiction extending over the Government college (Autonomous), Mandya by separating that institution from the Mysuru University.

Hence the Bill.

FINANCIAL MEMORANDUM

There will be an approximate recurring expenditure of Rs.28.18 Crores by the proposed legislative measure.

G.T.DEVEGOWDA
Minister for Higher Education

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

ANNEXURE**EXTRACT FROM THE KARNATAKA STATE UNIVERSITIES ACT, 2000
(KARNATAKA ACT 29 OF 2001)****XX****XX****XX**

3. Establishment and Incorporation of Universities.- (1) The Universities established under section 3 of the Karnataka State Universities Act, 1976 shall be deemed to have been established under this Act with their territorial jurisdictions as hereinafter provided namely:-

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(f) The Mysore University with headquarters at Mysore and territorial jurisdiction extending over the districts of Chamarajanagar, Hassan, Mandya and Mysore.

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(1F) There shall be established the "Bengaluru Central University, as an affiliating University with headquarters at Bengaluru Central College Campus with territorial jurisdiction comprising of the Karnataka Legislative Assembly Constituencies of Shanthinagar, Byatarayanapura, Yelahanka, Malleshwaram, Hebbal, Shivajinagar, Gandhinagar, Chamarajpet, Chickpet, Basavangudi, BTM Layout, Jayanagar and Rajajinagar of Bengaluru District.

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(1G) There shall be established the "Bengaluru North University, as an affiliating University with headquarters at Jangamakote (Sidalaghatta Taluk) (temporary Camp Office at Kolar P G Centre) with territorial jurisdiction comprising of the Karnataka Legislative Assembly Constituencies of Srinivaspura, Mulbagal, Kolar Gold Field, Bangarapet, Kolar, Malur and 14 Kolar PG centre of Kolar District; K.R.Puram, Pulakeshinagar, Sarvagnanagar, C V Raman Nagar and Mahadevpura of Bengaluru District; Gowribidanur, Bagepalli, Chikkaballapur, Sidalaghatta and Chintamani of Chikkaballapur District; Devanahalli, Doddaballapura and Hoskote of Bengaluru Rural District

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4. Powers of the University.- Subject to the provisions of this Act and such conditions as may be prescribed by the Statutes or Ordinances, 15 the University shall have the following powers and shall perform the following duties, namely:-

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(xiii) to make special arrangements in respect of residence, discipline and teaching of women students and persons belonging to the Scheduled Castes and Scheduled Tribes and other Backward Classes;

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5. Jurisdiction, admission to privileges, etc.- (1) Save as otherwise provided in this Act, the powers of the University conferred by or under this Act shall be exercised in the University area and no educational institution beyond the said area shall be associated with or admitted to any privileges of the University:

Provided that the benefit of correspondence courses or external degree courses may be extended by the University to students outside the University area: Provided further that an educational institution situated outside the country may be associated with or admitted to the privilege of the University by sanctioning affiliation and the powers in this behalf shall be exercised by the University in the manner specified in section 59:

Provided also that an educational institution situated within the University area may be associated with, or admitted to, any privileges in any other University or affiliated to a University established and incorporated including foreign Universities with the specific sanction of the State Government and in consultation with the University within whose jurisdiction the institution is situated. The manner and procedure for grant of such sanction shall be as prescribed in the statutes.

Explanation.- For the purpose of this section 'foreign university' means a university which is not a university established under an Act of Parliament or of a State Legislature within India.

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(6) Any privilege enjoyed from the Bengaluru University by the college or educational institutions situated in the Karnataka Legislative Assembly Constituencies of Shanthinagar, Byatarayanapura, Yelahanka, Malleshwaram, Hebbal, Shivajinagar, Gandhinagar, Chamarajpet, Chickpet, Basavangudi, BTM Layout, Jayanagar and Rajajinagar of Bengaluru District before the commencement of the Karnataka State Universities (Amendment) Act, 2015 shall with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and all such colleges or educational institutions previously admitted to the privileges of, or affiliated to Bengaluru University shall be deemed to be admitted to the privilege of, or affiliated, to the Bengaluru Central University.

(7) Any privilege enjoyed from the Bengaluru University by the college or educational institutions situated in the Karnataka Legislative Assembly Constituencies of Srinivaspura, Mulbagal, Kolar Gold Field, Bangarapet, Kolar, Malur and Kolar PG centre of Kolar District; K.R.Puram, Pulakeshinagar, Sarvagnanagar, C V Raman Nagar and Mahadevpura of Bengaluru District; Gowribidanur, Bagepalli, Chikkaballapur, Sidalaghatta

and Chintamani of Chikkaballapur District; Devanahalli, Doddaballapura and 20 Hoskote of Bengaluru Rural District before the commencement of the Karnataka State Universities (Amendment) Act 2015 shall with effect from such date as may be specified by the State Government in this behalf, be deemed to be withdrawn and all such colleges or educational institutions previously admitted to the privileges of, or affiliated to Bengaluru University shall be deemed to be admitted to the privilege of, or affiliated, to the Bengaluru North University,

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6. University open to all classes of persons.- (1) The University shall be open to all persons of either sex and of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto as a teacher or a student or to hold any office therein or to graduate thereat or to enjoy or exercise any privilege thereof.

Provided that the Akkamahadevi Women University shall be open to all women of whatever race, creed, caste or class and it shall not be lawful for the University to impose on any woman any test whatsoever of religious belief or profession in order to entitle her to be admitted thereto as a teacher or a student or to hold any office therein or to graduate there at or to enjoy or exercise any privilege thereof.

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

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(f) the Deans;

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(m) such other officers of the University as the Chancellor may, on the recommendation of the State Government from time to time, designate.

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21. 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 Reader shall act as Dean:

Provided further that if in any Faculty there is no Professor or Reader, 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 such teacher in a Department of Studies in any affiliated college may be nominated by the Vice-Chancellor on the basis of seniority 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 other powers and discharge such other functions as may be prescribed by the Statutes or Ordinances.

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

(a) the Vice-Chancellor;

(b) the Commissioner for Collegiate Education or his nominee not below the rank of a Joint Director;

(c) the Director of Technical Education or his nominee not below the rank of a Joint Director;

(d) one Dean nominated by the Vice-Chancellor for a period of one year by rotation according to seniority.

(e) two members nominated by the Chancellor from among eminent educationists, or persons from Commerce, Banking, Industry or other professions;

(f) four Principals of affiliated colleges nominated by the Vice-Chancellor for a period of one year by rotation in the order of seniority, of whom one shall be a woman principal.

(g) six persons nominated by the State Government from amongst eminent educationists of whom,-

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

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

(iii) one a Woman;

(iv) one a person belonging to Religious Minorities, and

(v) two others:

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

(h) One person who is a Professor of Post-Graduate Studies nominated by the Vice Chancellor with approval of State Government for a period of one year by rotation in the order of seniority.

(i) the Director of Medical Education or his nominee not below the rank of Joint Director;

(j) the Commissioner for Public Instruction or his nominee not below the rank of Joint Director; and

(k) the Director of Pre-University Education or his nominee not below the rank of Joint Director;

Provided that in the case of Akkamahadevi Women University the Syndicate shall in addition to the members specified above also consist of the Secretary incharge of Women and Child Development Department or his nominee not below the rank of a Deputy Secretary.

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29. 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, the Syndicate shall have the following powers, namely:-

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(f) to cause to be maintained proper accounts of the properties and funds of the University;

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(w) 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.

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

(i) the Vice-Chancellor;

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(iv) one Member of the Karnataka Legislative Assembly in respect of each district falling within the University area, nominated by the Speaker Karnataka Legislative Assembly;

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(ix) five Deans of the Faculties nominated by the Vice-Chancellor by rotation in the order of seniority each for a term of two years.

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(x) six students to be nominated by the Vice-Chancellor for a period of two years of whom one shall be a student of a degree course, one, a student of a post-graduate course, one, a student of a professional course one, a

candidate of National Cadet Corps, one a candidate National Social Service, one sports candidate on the basis of merit and of them at least one shall be a woman and one a research student: Provided that no student shall be eligible for nomination,-

(a) unless his name appears on the rolls of the University or a college affiliated to the University;

(b) unless he is following a course in the University or a college affiliated to the University leading to a degree or a postgraduate degree or post-graduate diploma of the University;

(c) if he is studying in a morning college or an evening college or having examination as an external candidate or through correspondence courses;

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

Provided that in the case of the Akkamahadevi Women University the Academic Council shall, in addition to the members specified above also consist of the Director, Women and Child Development.

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31. Powers of the Academic Council.-

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(2) Without prejudice to the generality of the foregoing 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:-

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(xx) generally to advise the University in all academic matters.

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34. Faculties.- (1) The University shall have the Faculties of Arts Commerce, Education, Engineering, Law, Science and Technology and such other subjects as may be prescribed by the Statutes from time to time.

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

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36. Board of Appointment of Examiners.-

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(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 under-graduate 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.

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

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(p) all other matters which by this Act are to be or may be provided for by the Statutes.

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42. 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:-

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(n) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinance.

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