

KARNATAKA ACT NO. 09 OF 2022

THE UNIVERSITY OF VISVESVARAYA COLLEGE OF ENGINEERING ACT, 2021

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STATEMENT OF OBJECTS AND REASONS

ACT 09 OF 2022.- The University Visvesvaraya College of Engineering (UVCE), Bengaluru is a premier Engineering institution in India established in the year 1917 By Bharat Ratna, Sir M. Visvesvaraya. It has been a constituent college of Bangalore University from the year 1964. UVCE is offering several undergraduate, postgraduate and doctoral programmes in several branches of engineering. Thousand of students have passed out from this prestigious institution and have occupied key positions in academia, industry, service, research and Government. Government of Karnataka thought it fit to upgrade the institution in the present day competitive environment to keep pace with the stakeholder expectations and to maintain its top position among engineering colleges in the country. In this respect, the Government had constituted a Committee under the Chairmanship of the Sri S V Ranganath, IAS (Rtd)., Vice Chairman, Karnataka State Higher Education Council, Bengaluru. The Committee in its report has recommended for converting UVCE into an autonomous “IIT like” institution on the lines of Indian Institutes of Technology, Indian Institutes of Management and other Institutions of National Importance;

Therefore, it is considered necessary to declare and constitute the University Visvesvaraya College of Engineering (UVCE), Bengaluru, as the University of Visvesvaraya College of Engineering (UVCE), Bengaluru to grant autonomy with a view to empower the Institution to attain standards of global excellence in engineering and allied areas of knowledge.

Hence the Bill.

[L.A. Bill No. 46 of 2021, File No. SAMVYASHAE 48 SHASANA 2021]

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

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KARNATAKA ACT NO. 09 OF 2022

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THE UNIVERSITY OF VISVESVARAYA COLLEGE OF ENGINEERING ACT, 2021

(Received the assent of the Governor on the 21st day of February 2022)

An Act to declare and constitute the University Visvesvaraya College of Engineering (UVCE), Bengaluru, as the University of Visvesvaraya College of Engineering (UVCE), Bengaluru;

Whereas, the University Visvesvaraya College of Engineering (UVCE), Bengaluru is a premier Engineering institution in India established in the year 1917 by Bharat Ratna, Sir M. Visvesvaraya. It has been a constituent college of Bangalore University from the year 1964. UVCE is offering several undergraduate, postgraduate and doctoral programmes in several branches of engineering. Thousands of students have passed out from this prestigious institution and have occupied key positions in academia, industry, services, research and Government. Government of Karnataka thought it fit to upgrade the institution in the present-day competitive environment to keep pace with the stakeholder expectations and to maintain its top position among engineering colleges in the country. In this respect, the Government had constituted a Committee under the Chairmanship of the Sri S. V. Ranganath, IAS (Rtd.), Vice Chairman, Karnataka State Higher Education Council, Bengaluru. The Committee in its report has recommended for converting UVCE into an autonomous "IIT like" institution on the lines of College of Engineering Pune (CoEP). Hence this Bill to model UVCE on the lines of Indian Institutes of Technology, Indian Institutes of Management and other Institutions of National Importance;

It is expedient to declare and constitute the University Visvesvaraya College of Engineering (UVCE), Bengaluru, as the University of Visvesvaraya College of Engineering (UVCE), Bengaluru to grant autonomy with a view to empower the Institution to attain standards of global excellence in engineering and allied areas of knowledge and to provide for certain matters connected therewith, or incidental thereto;

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

CHAPTER I PRELIMINARY

1. Short title and Commencement.- (1) This Act may be called the University of Visvesvaraya College of Engineering Act, 2021.

(2) It shall come into force on such date as the State Government may, by ¹[notification]¹ in the Official Gazette, appoint.

1. This Act has come into force w.e.f. 25.03.2022. by Notification No. ED 59 UBV 2020(P-1) Dated: 25.03.2022
(See the text notification at the end of the Act)

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

- (i) “Academic Senate” means the Academic Senate of the University;
- (ii) “Assessment Year” means the year following the year in which the income of a financial year is assessed or taxed;
- (iii) “Authorities” means Authorities of the University;
- (iv) “Board” or “Board of Governors” means the Board of Governors of the University established under the provisions of this Act;
- (v) “Chairperson” means the Chairperson of the Board of Governors of the University;
- (vi) “Deans” means the Deans of Faculties or Schools of the University;
- (vii) “Director” means the Director of the University;
- (viii) “Financial Year” means a period of 12 consecutive months commencing on
1st day of April of every year;
- (ix) “Ordinance” “Statutes” “Regulations” and “Rules” means respectively the Ordinances, Statutes, Regulations and Rules of the University made under this Act;
- (x) “Person having a substantial interest in a concern” shall have the same meaning as assigned to this expression in explanation 3 below sub section (9) of section 13 of the Income Tax Act;
- (xi) “Previous University” means the University from which new University is carved out and established;
- (xii) “Previous Year” means the financial or Academic year immediately preceding assessment or Academic year;
- (xiii) “Registrar” means the Registrar of the University appointed under section 26 of this Act;
- (xiv) “State Government” means Government of Karnataka;
- (xv) “Teachers” means Professors including Honorary/Emeritus/Adjunct Professors, Associate Professors, Assistant Professors and other academic staff imparting instructions at the University;
- (xvi) “UGC” means the University Grants Commission established by the Central Government as per the University Grants Commission Act, 1956 (Central Act No.3 of 1956) ; and
- (xvii) “University” or “UVCE” means the University of Visvesvaraya College of Engineering, Bengaluru established under section 3 of this Act;

CHAPTER – II

THE UNIVERSITY

3. Establishment and Incorporation of the University.- (1) There shall be established in the State of Karnataka the University of Visvesvaraya College of Engineering, Bengaluru, a non-affiliating university for the furtherance of the

objects of the University set out in section 4. The objects of the University are such as to make it an Institution of State Eminence.

(2) The University shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with powers, subject to the provisions of this Act, to acquire and hold property, to contract, and to do such other things necessary for the purpose of this Act and shall, by the said name, sue and be sued.

(3) All suits and other legal proceedings instituted by or against the existing of the University Visvesvaraya College of Engineering, Bengaluru immediately before the commencement of this Act, shall be continued by or against the University, as the case may be. The pleadings for such suits and legal proceedings shall be signed and verified by the Registrar and all the processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(4) The headquarters of the University shall be at Bengaluru.

(5) On and from the date of commencement of this Act,—

- (i) any reference to the University (UVCE) in any contract or other instrument in respect of properties of the University Visvesvaraya College of Engineering, Bengaluru shall be deemed as a reference to the University (UVCE);
- (ii) all properties, movable and immovable, including the two campuses of the University situated at K.R. Circle, Dr. Ambedkar Veedhi, Bengaluru-560001 and Jnana Bharathi Campus, Bangalore University, Bengaluru belonging to or has been earmarked to the existing University Visvesvaraya College of Engineering, Bengaluru shall vest in the University (UVCE).
- (iii) all rights, debts and other liabilities of the University Visvesvaraya College of Engineering, Bengaluru shall be transferred to, and be the rights and liabilities of the University (UVCE); and
- (iv) all officers and employees employed in the University Visvesvaraya College of Engineering, Bengaluru immediately before the date of commencement of this Act shall, subject to the provisions of this Act, hold their office or service in the University with the same tenure at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as they would have held had this Act not been enacted and shall continue to do so unless and until their employment is terminated or until such tenure, remuneration and the terms and conditions are duly altered by the Regulations, or be given an option to transfer their services and shall exercise such power and perform such duties as are conferred upon them by or under this Act;

(6) The establishment of the University shall be a non-profit making institution and the University shall not transfer directly or indirectly the whole or any part of the income or any movable or immovable property of the University to any person or to give any person any right to assume power directly or indirectly over the whole or any part of the income or any movable or immovable property of the University.

4. Objects of the University.- The objects of the University shall be to advance and disseminate learning, knowledge and conduct education and training (including tertiary and continuous education) in such branches of learning as it may deem fit, using all forms including face-to-face and online or digital format, at all levels (undergraduate, postgraduate and doctoral levels), and to develop in the students and research scholars a sense of responsibility to serve the society at large in the field of higher education, to conduct research, including consultancy, and outreach activities. Without prejudice to the generality of the foregoing, the objects of the University shall include the following, namely:-

- (i) To impart high quality education in all areas of engineering and technology, allied arts and sciences (physical, social and biological sciences), inter-disciplinary studies as well as emerging areas of core interest to the University as and when they evolve;
- (ii) To carry out research, publications, consultancy and advisory activities to advance new knowledge and innovation and to provide global leadership in all areas of engineering and technology, allied arts and sciences (mathematical, biological, physical and social sciences), as well as emerging areas of core interest to the University as and when they evolve;
- (iii) To attract best talent in terms of students and faculty, nationally and internationally;
- (iv) To establish close linkages with industry;
- (v) To develop collaborative programmes with industry and other educational institutions, nationally and internationally;
- (vi) To emphasize on online or digital education;
- (vii) To establish campuses and centres for engineering, science and technology and allied areas of studies;
- (viii) To develop educational programmes and faculties that advance the cause of education, teaching and learning, across disciplines;
- (ix) To devise newer forms of student, faculty, partner engagement, and explore newer areas of knowledge as and when necessary; and
- (x) To support and develop programmes promoting social and gender equity.

5. Powers and Functions of the University.- Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely:-

- (i) To carry out the administration and management of the University;

- (ii) To specify and conduct courses of study, training and research in such branches of engineering and technology, sciences and arts, as the University may think fit, including through distance learning and digital learning platforms, and for the advancement of learning and dissemination of knowledge in such branches;
- (iii) To evolve innovative engineering, science and technology education pedagogy aligned to dynamic global practices;
- (iv) To establish the criteria for admission of candidates for various courses of study in conformity with the laws in force;
- (v) To conduct examinations and establish processes for evaluation and performance assessment through fair and transparent systems and other academic distinctions or titles;
- (vi) To grant degrees, diplomas and other academic distinctions and titles;
- (vii) To institute and award fellowships, scholarships, prizes and medals, and to confer honorary degrees and other distinctions;
- (viii) To lower the cost of education and to enhance the reach of the education by use of information and communication technology and other innovative methods;
- (ix) To establish and maintain such infrastructure as may be necessary, such as halls, hostels etc;
- (x) To determine, in consultation with the State Government, specify and receive payment of fees and other charges as the University may deem fit, from students and any other person, institution or body corporate for instruction and other services, including training, consultancy and advisory services, provided by the University;
- (xi) To acquire, hold and deal with the property belonging to or vested in the University, with the approval of the Board, and in case of immovable property, under prior intimation to the State Government, for advancing the objects of the University subject to the condition that such property is not obtained wholly or partly from the State Government or the Central Government:

Provided that, where the land for the University has been provided free of cost by the State Government, such land may be disposed of only with the prior approval of the State Government.

- (xii) To supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health, general welfare and cultural and corporate life;
- (xiii) To institute academic, administrative, technical, ministerial and other posts and to make appointments thereto;
- (xiv) To frame Ordinances, Statutes and Regulations and to alter, modify or rescind the same;
- (xv) To receive grants, gifts, contributions or benefactions from the Governments and to raise and receive bequests, donations and transfers of movable or immovable properties from testators, donors

or transferors, as the case may be, and to have custody of all such funds and to meet the expenses, including capital expenditure and expenses incurred in the exercise of its powers and discharge of its functions:

Provided that, no bequest donation or transfer of any property shall be accepted by the University which in the opinion of the Board of Governors involves conditions or obligations opposed to the spirit and objects of this Act.

- (xvi) To co-operate with educational or other institutions and industry in any part of the world having objects wholly or partly similar to those of the University by exchange of teachers and scholars and generally in such manner as may be conducive to their common objects;
- (xvii) To borrow monies from banks and financial institutions;
- (xviii) To create partnership, affiliation and other classes of professional or honorary or technical membership or office as the University may consider necessary;
- (xix) To appoint committees to carry out functions of the University; and
- (xx) To do all such things, functions and activities as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

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.

(2) Seventy five per cent of the seats shall be filled through the Common Entrance Test conducted by the State Government and twenty five per cent of the seats shall be filled based on the Joint Entrance Examination conducted at the national level.

(3) Subject to the provisions of sub-section (1), the University shall, in accordance with any special or general orders of the State Government, reserve seats for purpose of admission as students in the University for such classes of persons as set out in such special or general orders, including,-

- (i) the Scheduled Castes and the Scheduled Tribes;
- (ii) other Backward Classes and other socially, educationally or economically backward classes;
- (iii) nominees of the Central or State Government;
- (iv) defence personnel and ex-servicemen and their children;
- (v) physically handicapped as defined in the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act, 1995 (Central Act No.1 of 1996);

- (vi) women and transgender; and
- (vii) Sports persons.

(4) The University may, subject to the orders of the State Government from time to time, grant exemption from payment of fees or boarding, lodging or any other charges or provide special scholarships to students belonging to classes listed in sub-section (3).

7. Teaching and Research in the University.- (1) Subject to the control of the Academic Senate, all recognized teaching in connection with the university courses shall be conducted by the teachers of the University in accordance with the syllabus prescribed by Regulations and shall include lecturing, laboratory work and other teaching methodology.

(2) All such teaching shall be organized by such authorities as may be prescribed by the Ordinances and the Regulations.

(3) The programmes, courses and curricula shall be as may be prescribed by the Ordinances and the Regulations.

CHAPTER – III

AUTHORITIES OF THE UNIVERSITY

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

- (i) Board of Governors;
- (ii) Academic Senate;
- (iii) Finance Committee;
- (iv) Faculties or Schools of Studies;
- (v) Departments or Boards of Studies; and
- (vi) Such other authorities that may be constituted from time to time by the Regulations.

9. Board of Governors.- (1)The Board of Governors shall be the principal executive body of the University.

(2) The Board of Governors shall consist of the following members, namely:-

- (i) A Chairperson from amongst the eminent persons distinguished in the field of science, engineering, technology, management or industry or other related field;
- (ii) The Director of the University;
- (iii) The Secretary or Principal Secretary or Additional Chief Secretary, Department of Higher Education, Government of Karnataka, in his ex-officio capacity;
- (iv) Four eminent persons, of whom at least one shall be a person belonging to SC or ST and one shall be a person belonging to OBC or Minorities, who have distinguished themselves in the field of engineering, science,

technology, industry, management, nominated by the Board of Governors;

- (v) Two eminent persons from among the alumni of the UVCE, who have distinguished themselves in the fields of engineering, science, technology or industry or management or such other fields nominated by the Board of Governors;
- (vi) One eminent person from academia from another premier educational institution, who has distinguished himself in the field of engineering, science or technology, nominated by the Board of Governors;
- (vii) One Dean and one faculty to be nominated by the Board in the manner to be specified by the Regulations; and
- (viii) One member of the Academic Senate who is a Professor at the University to be nominated by the Director:

Provided that, from amongst the members to be nominated under clauses (iv), (v), (vi), (vii) and (viii), three shall be women;

The Registrar of the University shall be the Secretary of the Board of Governors.

(3) The Chairperson and members of the first Board of Governors shall be nominated by the Visitor, on the recommendation of the State Government.

(4) Except as provided in sub-section (3) above, the members of the Board of Governors shall, to the extent not prescribed in sub-section (2) be nominated by the Board of Governors in the manner prescribed by the Regulations.

(5) The Chairperson shall have the power to invite relevant experts, not being members of the Board of Governors, to attend meetings of the Board of Governors and assist the Board of Governors with specific issues of their expertise, but such invitees shall not be entitled to vote at the meeting.

(6) The respective nominating authorities may nominate a person to fill up any temporary vacancy of members in Clauses (iii) to (viii) of sub-section (2).

(7) The Chairperson shall ordinarily preside at the meetings of the Board of Governors. In case the Chairperson of the Board of Governors is unable to attend, the Director may be nominated by the Chairperson to chair the meeting of the Board.

(8) The Board of Governors shall hold at least four meetings during every year. The duration between two consecutive meetings shall not exceed three months.

(9) The Visitor himself or in consultation with the State Government may, by Order, direct the University to hold the meetings of the Board of Governors to discuss such terms of reference as may be specified and the Chairperson of the Board shall comply with such directions.

10. Powers and Functions of Board of Governors.-(1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the University and shall

have the power to frame or amend or modify or rescind the regulations governing the affairs of the University to achieve the objects of the University specified in section 4.

(2) It shall exercise all powers of the University not otherwise provided for in this Act, the rules made hereunder, the Regulations or Ordinances and have the power to delegate such powers to the Executive Committee of the Board of Governors for more efficient management of the University.

(3) Without prejudice to the provisions of sub-section (1), the Board of Governors shall also have the following powers and functions, namely:-

- (i) To take decisions on questions of policy relating to the administration and working of the University, and review the achievement of policy objectives;
- (ii) To enter into, vary and cancel contracts on behalf of the University;
- (iii) To consider and approve the annual budget estimates for the next financial year, the annual accounts and the annual reports of the University;
- (iv) To examine and approve the development plans for the University and to identify the sources of finance to implement such plans as are considered necessary;
- (v) To advise the Visitor, if so required, in respect of any function to be performed by him under this Act;
- (vi) To establish faculties or schools of studies, departments and centres, and initiate programmes and courses of study at the University;
- (vii) To frame, amend, or rescind the Regulations governing the affairs of the University, the fees to be charged for courses or programmes of study and examinations in the university, manner of establishment of departments, institution of scholarships, fellowships, exhibitions, medals and prizes, the qualifications for appointment to various posts, pension, insurance and provident fund for the benefit of employees etc.;
- (viii) To create academic, administrative, technical and other posts and appoint persons to such posts in the University and define the duties and conditions of service for such posts and set salary scales for academic and non-academic staff as per Government norms;
- (ix) To invest moneys and funds of the University and raise funds for the University;
- (x) To delegate certain of its functions to the Executive Committee, the Director, the Registrar or to any other authority or officers of the University;
- (xi) To grant degrees, diplomas and other academic distinctions or titles and to institute and award fellowships, scholarships, prizes and medals;

- (xii) to confer honorary degrees in such manner as may be specified by the Regulations;
- (xiii) To grant honorary awards and other distinctions; and
- (xiv) To exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the rules made hereunder or the Regulations or Ordinances.

(4) Subject to the provisions of this Act, the Board may, by Regulations, delegate such powers and functions of the Board to the Director as it may deem fit.

(5) The Board shall conduct an annual review of the performance of the Director, in the context of the achievements of objects of the University:

Provided that, such review shall include performance reviews of faculty members of the University on such parameters, periodicity and terms of reference as may be determined by the Board.

(6) The Board shall, through an independent agency or group of experts, within a period of three years from the date of incorporation of the University, and thereafter at least once in every three years, evaluate and review the performance of the University, including its faculty, on the parameters of long-term strategy and rolling plans of the University and such other parameters as the Board may decide and the report of such review shall be placed in the public domain.

(7) The qualifications, experience and the manner of selection of the independent agency or group of experts, referred to in sub-section (6), shall be such as may be specified by Regulations.

(8) The report of the evaluation and review under sub-section (6) shall be submitted by the Board to the State Government along with an action taken report thereon.

(9) Where in the opinion of the Chairperson or the Director the situation is so emergent that an immediate decision needs to be taken in the interest of the University, the Chairperson, in consultation with the Director, may issue such orders as may be necessary, recording the grounds for his opinion:

Provided that, such orders shall be submitted for ratification by the Board in the next meeting.

(10) The Board may constitute such committees and other authorities of the University and specify the duties and functions of each such committees and authorities by Regulations.

11. Term of office and vacancies.- (1) Save as otherwise provided in this section, the term of office of the Chairperson is four years and other non-official members of the Board of Governors shall be three years from the date of their nomination or election:

Provided that, the Chairperson, or any other member of the Board of Governors, other than an ex-officio member, may be appointed or nominated for a second term of two years.

Provided further that, the term of office of the non-official members other than the Chairperson, of the first Board of Governors shall be prescribed by the Visitor, on the recommendation of the State Government.

(2) The term of office of an ex officio-member shall continue so long as he holds the office by virtue of which he is a member.

(3) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated or elected.

(4) Notwithstanding anything contained in this section, an outgoing member shall continue in office until another person is nominated as a member in his place.

(5) The members of the Board of Governors shall be entitled to such allowances as may be provided for in the Regulations but no member other than the persons referred to in clauses (iii) to (vi) of sub-section (2) of section 9 shall be entitled to any allowance by reason of this sub-section.

(6) A member of the Board of Governors shall cease to be a member if he,-

- (i) tenders resignation and such resignation is accepted; or
- (ii) is of unsound mind and stands so declared by a competent court of law; or
- (iii) becomes un-discharged insolvent; or
- (iv) has been convicted of an offence involving moral turpitude.

Any such cessation shall constitute a casual vacancy.

(7) Any member of the Board of Governors may by writing addressed to the Chairperson, resign from his office and such resignation shall take effect on the date it is accepted by the Chairperson, which shall be not later than two weeks from the date of the intimation of resignation written by such member to the Chairperson.

(8) Any member of the Board of Governors may be removed by the Board by a majority vote after an enquiry constituted by it, in accordance with the Regulations,

in which such member has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(9) The Visitor shall have the power to remove the Chairman or any of the members of the Board of Governors except the ex-officio member, by an order passed on the ground of wilful omission or refusal to carry out the provisions of this Act or for abuse of the powers vested under this Act, and on the advice tendered by the State Government on consideration of the report of an inquiry ordered by it. For the purpose of holding an inquiry under this section the State 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 concerned and shall submit a report to the State Government on the action to be taken including penalty, if any, to be imposed, and the State Government shall on consideration of the report advise the Visitor. The Visitor shall act in accordance with such advice, as far as may be, within three months.

12. Executive Committee.- (1) The Executive Committee shall consist of the following members, namely:-

- (i) The Director shall be the Chairperson;
- (ii) Three Other members of the Board of Governors (one Dean, one Professor and one nominated member), nominated from among themselves by rotation for a period of one year; and
- (iii) The Registrar – Member Secretary;

(2) The Executive Committee shall meet atleast six times in a year. All meetings of the Executive Committee shall be chaired by the Director. In the absence of the Director, the meeting shall be chaired by the Dean of the Faculty or School, who is a member of the Executive Committee.

(3) The Executive Committee shall have the following powers and perform the following functions, namely:-

- (i) It shall be competent to take decisions on behalf of the Board of Governors with respect to the matters as prescribed in the Regulations, subject to the ratification of the Board of Governors in the immediate next meeting of the Board of Governors;
- (ii) It shall carry out all decisions taken by the Board of Governors and incur such expenses as are necessary to fulfil the objectives set out in this Act;
- (iii) It shall present before the Board of Governors the annual academic and financial audit reports of the University for its approval; and
- (iv) It shall have such other powers, functions and duties as may be prescribed by the Regulations.

13. Academic Senate.- (1) The Academic Senate shall be the principal academic body of the University.

(2) It shall consist of the following members, namely:-

- (i) The Director of the University, who shall be the Chairperson of the Academic Senate;
- (ii) Five eminent educationists such as former principals and professors, nominated by the State Government for a term of two years from a panel of eminent academicians of whom one shall belong to Scheduled Caste or Scheduled Tribe, one to other Backward Classes or religious minority. Of the five members, two shall be women;
- (iii) Two eminent persons belonging to research and development, commerce and industries, banking and finance, management or public administration nominated from a panel of names by the Board of Governors for a term of two years;
- (iv) Two eminent academicians from other institutes or universities nominated by the Director for a period of two years;
- (v) Deans in charge of academics, research, student affairs and such other functions of the University;
- (vi) All the Deans of Faculties or Schools;
- (vii) All the Chairs or Heads of Departments or Sections and Coordinators of Centres;
- (viii) Three professors of the University by rotation on seniority nominated by the Director for a period of two years;
- (ix) Three younger enterprising faculty (from among Assistant and Associate Professors) nominated by the Director for a period of two years as specified in the Regulations;
- (x) The Controller of Examinations of the University; and
- (xi) The Registrar, who shall be the Member Secretary.

(3) The term of office of the nominated non-official members shall be two years from the date of their nomination and of the official members shall also be two years or as long as they hold the office by virtue of which he is a member.

(4) The Academic Senate shall normally meet four times during an academic year, so that the period between two consecutive meetings shall not exceed twelve weeks.

(5) There shall be a Standing Committee to decide any emergent issues on behalf of the Academic Senate. It shall consist of the Director, Deans of the Faculties or Schools who are members of the Academic Senate and the Registrar:

Provided that, the minutes of such meetings of the Standing Committee, including the decisions taken, are put up at the next immediate meeting of the Academic Senate for ratification.

(6) The Director may convene special meetings of the Academic Senate, in case of urgency.

(7) The Regulations may provide for procedure for holding the meetings of the Academic Senate and the Standing Committee.

(8) The Visitor or the State Government may, by order, direct the University to hold the meetings of the Academic Senate to discuss such terms of reference as may be specified and the Director shall comply with such directions.

14. Powers and Functions of the Academic Senate.- (1) The Academic Senate being the academic body of the University, shall exercise such other powers and perform such other functions as may be conferred upon it, by this Act or the Regulations or by the Board. It shall be responsible for the maintenance of the standards of instruction, education and examinations in the University.

(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 Senate shall exercise the following powers, namely:-

- (i) To approve new programmes and changes or modifications to the existing programmes;
- (ii) To specify the criteria and process for admission to courses or programmes of study offered by the University;
- (iii) To design and develop the curriculum content of the academic programmes and courses of study and undertake modifications therein;
- (iv) To specify the academic calendar, guidelines for conduct of examination;
- (v) To recommend grant of degrees, diplomas and other academic distinctions or titles;
- (vi) To make proposals for issue of Ordinances relating to academic matters;
- (vii) To make proposals for Regulations regarding the courses of study, the scheme of examinations and conditions on which the students shall be admitted to the examinations, degrees, diplomas, certificates or other academic distinctions and for declaration of the results of the University examinations;
- (viii) To formulate schemes for promoting research within the University or for promoting other specialized studies;
- (ix) To make proposals for allocating subjects to the Faculties or Schools and to assign its own members to the Faculties or Schools;

- (x) To determine the criteria for grant of exemptions relating to the admission of students to examinations;
- (xi) To make proposals for the institution of posts of Professorships, Associate Professorships, Assistant Professorships and other posts of teachers required by the University and for prescribing the duties of such posts;
- (xii) To make proposals for the institution and award of fellowships, travelling fellowships, scholarships, studentships, teaching or research assistantships or exhibitions;
- (xiii) To make Regulations prescribing equivalence of examinations;
- (xiv) To make Regulations for granting exemptions from approved courses of study in the University to qualify for degrees, diplomas and other academic distinctions;
- (xv) 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;
- (xvi) To consider the annual financial estimates;
- (xvii) To amend or repeal any Regulations;
- (xviii) To nominate members to various authorities of the University as required;
- (xix) To establish and maintain departments of research and specialized studies;
- (xx) Generally, to advise the University in all academic matters; and
- (xxi) To exercise such other powers and to perform such other duties as may be conferred or imposed on it by this Act or the Regulations, Ordinances or Statutes made there under;

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

- (i) The Director- Chairperson;
 - (ii) One expert in University finance or accounting service nominated by the Board of Governors;
 - (iii) One member each of the Board of Governors and the Academic Senate;
 - (iv) The Registrar; and
 - (v) The Finance Officer - Member Secretary.
- (2) The Finance Committee shall meet at least once in three months.
- (3) The Finance Committee shall perform the following functions, namely: -
- (i) To scrutinize the annual budget estimates and the annual accounts of the University, review the yearly audit reports and make recommendations thereon;

- (ii) To scrutinize all proposals of the University involving expenditure in excess of budgetary provision or for which no provision is made in the budget, including creation, upgradation and abolition of posts in the University and make recommendations thereon;
- (iii) To plan practical and implementable strategies for mobilizing funds for the University and also make proper plans for investment of excess funds at the disposal of the University and make recommendations thereon; and
- (iv) Such other functions as may be prescribed by the Regulations:

Provided that, the above recommendations are placed at the meetings of the Board of Governors for its consideration.

- (4) Notwithstanding anything contained in item (i) of sub-section (2), the Director may, in case of urgency and for reasons to be recorded in writing, incur without the approval of the Finance Committee, any expenditure up to a limit as specified in the Regulations 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 immediately subsequent quarterly meeting.

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

16. Faculties or Schools of Studies.- (1) The University shall have the Faculties or Schools of Architecture, Engineering, Science and Technology, Management and such other disciplines as may be prescribed by the Regulations from time to time.

(2) Each Faculty or School shall consist of such number of Departments of Studies as may be assigned to it by the Regulations.

(3) Each Faculty or School of Studies shall consist of the following members, namely:-

- (i) The Dean of the Faculty or School of Studies shall be the Chairperson;
- (ii) The Controller of Examinations;
- (iii) The Chairpersons of the Departments of Studies in the Faculty or School;
- (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 Director by rotation in the

- order of seniority for a term of two years;
- (vi) Two experts from other universities in the State nominated by the Director for a term of two years; and
 - (vii) In addition to members as specified above, each Faculty or School shall have three experts in the subjects and or allied subjects or industries nominated by the Director from the panel of at least five names suggested by the Dean of the Faculty concerned. The tenure of their office shall be two years.

Note: While making these nominations, eminent persons not only from the concerned subjects but also allied subjects may be considered.

- (5) The Faculties or Schools shall meet ordinarily once in a year or at such times as are fixed by the Director or on the requisition of the Dean with the prior permission of the Director or on the written requisition of five members entitled to be present at the Faculty. The Dean shall preside over the meeting of the Faculty or School. In the absence of the Dean, the senior-most Professor present in the meeting shall preside over the meeting.
- (6) The Director may convene joint meetings of two or more Faculties or Schools for the purpose of considering any matter common to them and shall preside over such meeting and in his absence, the senior most Dean shall preside over the meeting.
- (7) The quorum for a meeting of a Faculty or School shall be one-third of the number of members entitled to be present at the meeting.
- (8) The Faculties or Schools shall have the following powers, namely:-
 - (i) To consider and report on any matter referred to it by any authorities of the University;
 - (ii) To refer any matter to a Board of Studies comprised within the Faculty or School for consideration and report;
 - (iii) To consider and report on any recommendation referred to it by a Board of Studies before it is referred to the Academic Senate; and
 - (iv) To make suggestions or recommendations to the Academic Senate regarding the organization of teaching, training, research and examinations in the subjects comprised in the Faculty.

17. Departments of Studies.- (1) The Department of Studies in each Faculty or School shall consist of the following members, namely:-

- (i) All the Teachers of the Department of Studies;
- (ii) Honorary Professors, if any, attached to the Department;

- (iii) Persons appointed to conduct Research in the Department; and
- (iv) Such other persons who are members of the Departments as may be prescribed in the Regulations.

(2) Any Department of Studies may be established or abolished by the Regulations.

(3) Each Department of Studies shall have a Chairperson who shall also be the Chairperson of the Departmental Council. The Chairperson of the Departmental Council shall also be the Chairperson of the Board of Studies in that subject.

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

- (i) all the Professors and Associate Professors of the department; and
- (ii) two of the senior most Assistant Professors in the Department.

(5) The Chairpersons of the Departments and the Boards of Studies shall be appointed by the Board of Governors for a term of two years, or for such other term as the Board of Governors may determine from time to time.

(6) The Chairperson of the Department of Studies shall be in-charge of the administration of the Department. The powers, duties and functions of the Departmental Council and of the Chairperson shall be as prescribed by the Regulations.

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

Provided that, the Board of Governors may constitute a separate Board of Studies for Undergraduate Studies and for Postgraduate studies.

(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 Regulations.

19. Other Authorities.- The constitution, powers and duties of authorities other than those specified in this Act, shall be such as may be specified in the Regulations.

CHAPTER – IV

OFFICERS OF THE UNIVERSITY

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

- (i) Visitor;
- (ii) Pro-Visitor;
- (iii) Chairperson of the Board of Governors;
- (iv) Director;
- (v) Deans;
- (vi) Registrar;
- (vii) Controller of Examinations;
- (viii) Finance Officer; and
- (ix) Such other officers as may be declared by the Regulations to be the Officers of the University or the Visitor may, on the recommendation of the State Government from time to time, designate.

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

(2) The Visitor shall nominate the Chairperson and other members of the first Board of Governors of the University, on the recommendation of the State Government.

(3) The Visitor 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 Visitor that any such decision or orders shall be modified, annulled, revised or remitted for reconsideration, he may recommend a course of action to the Board.

22. Pro-Visitor.- (1) The Minister in-charge of Higher Education in Karnataka shall by virtue of Office held by him, be the Pro-Visitor of the University.

(2) The Pro-Visitor shall, in the absence of the Visitor, preside at any Convocation of the University.

23. Chairperson of the Board of Governors.- (1) The Chairperson shall not be a whole time Officer of the University.

(2) The Chairperson shall be an eminent person distinguished in the field of engineering, science, technology, management, industry or other related field.

(3) The Chairperson shall be appointed by the Visitor from a panel of three persons recommended by the Board of Governors from amongst persons of eminence as stated in sub-section (2):

Provided that, if the Visitor does not approve any of the persons so recommended, he may call for fresh recommendations from the Board of Governors.

(4) The Chairperson shall preside at the Convocations of the University, in the absence of both the Visitor and the Pro-Visitor.

(5) The Chairperson shall exercise such other powers and perform such other duties as may be assigned to him by this Act, the rules made hereunder, the Regulations or Ordinances.

(6) It shall be the duty of the Chairperson to ensure that the decisions taken by the Board of Governors are implemented.

(7) The Chairperson shall hold office for a term of four years:

Provided that, notwithstanding the expiry of his term of office, the Chairperson shall continue to hold office until his successor assumes office.

(8) The Chairperson may, by notice in writing under his hand addressed to the Board, resign from his office.

24. Director.- (1) The Director shall be the Chief Executive Officer of the University and shall provide leadership to the University and be responsible for implementation of the decisions of the Board of Governors.

(2) He shall be a person of the highest level of competence, integrity, morals and institutional commitment. Besides, the Director shall be an eminent academician with specialization in engineering, science, technology, management, or other related subjects with at least ten years as Professor as per All India Council for Technical Education or University Grants Commission or Central Regulations or norms or in an equivalent position at a reputed research and development or administrative organization.

(3) The Director shall be appointed by the Visitor on such terms and conditions of service as may be prescribed in the Regulations.

(4) The Director shall be appointed out of the panel of names recommended by a Search-cum-Selection Committee constituted by the Board of Governors in the following manner,-

(i) The Board of Governors shall constitute a Search-cum-Selection Committee for the appointment of Director at least three months before the expiry of the term of Office of the incumbent Director;

(ii) The Search-cum-Selection Committee shall consist of three members, each one being an eminent academician, educationist or administrator, who is or has been the Head of a reputed University or Institute of National Importance or an Industrialist of repute. One of these members shall be nominated by the Visitor on the recommendation of the State Government and two by the Board of Governors. The Board of Governors shall appoint one of these members as the chairperson of the Search-cum-Selection Committee:

Provided that, the quorum for the meeting shall be the full Committee.

Provided further that, such of the members nominated, who do not respond positively within one month of being communicated of their appointment, shall be automatically replaced by other nominations.

(iii) No person presently connected with the affairs of the State Government or the University shall be nominated as a member of the Search-cum-Selection Committee;

(iv) The Registrar of the University shall be the Convener of the Search-cum-Selection Committee. The Convener shall assist the Committee in its assignment and also place before it, an available database of all the eligible candidates after inviting applications for the position of Director and receiving nominations from eminent persons. The panel of names recommended to the Board of Governors shall be arranged in the alphabetical order:

Provided that, if the Board of Governors is not satisfied with the panel of names recommended by the Search-cum-Selection Committee, it may ask the Search-cum-Selection Committee to make fresh recommendations.

(v) The Board of Governor shall submit to the State Government a panel of three persons in the alphabetical order. The State Government shall forward the panel to the visitor who shall keeping in view merit, equity and social justice and with the concurrence of the State Government, appoint one person from the panel as the Director:

Provided that, the visitor may with the concurrence of the State Government call for a second panel if he considers it necessary and the Board of Governors shall submit a second panel which shall be final.

Provided further that, the first Director of the University established under this Act shall be appointed by the State Government subject to such terms and conditions as may be specified by it.

(5) No person shall be appointed to hold the office of the Director if he has attained the age of seventy years.

(6) The Director shall, subject to the provisions of sub-section (5) hold the office for a term of four years. He shall be eligible for re-appointment for a second term of two years.

(7) The Director may by notice in writing under his hand addressed to the Board of Governors through the Chairperson, resign his office at any time.

(8) The Board of Governors may remove from office the Director, who,-

- (a) has been adjudged as an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Board, involves moral turpitude; or
- (c) has become physically or mentally incapable of acting as a Director; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functions as a Director; or
- (e) has so abused his position or so conducted himself as to render his continuance in office prejudicial to the public interest:

Provided that, the Director shall not be removed from office except by an order made by the Board of Governors, after an enquiry instituted by it, in accordance with the Regulations, which the Director has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(9) During the temporary absence of the Director by reason of leave or vacancy remaining unfilled, the Board of Governors may designate the senior-most Professor in the University as the Director in charge until a regular Director is appointed:

Provided that if the senior-most Professor is not willing to hold the post of Director in charge, then the next senior-most willing Professor may be designated as Director in charge.

(10) The emoluments and other conditions of service of the Director shall be as determined by the Regulations.

(11) The Board of Governors may initiate an inquiry as deemed proper against the Director who has not been functioning in accordance with the provisions and the objectives of the Act.

(12) The Board may, based on the findings of such an inquiry remove the Director or take any other action it deems fit.

25. Powers and functions of the Director.- (1) As the Principal Executive and Academic Officer of the University, the Director shall exercise general control over the affairs of the University. He shall exercise all the powers necessary for the maintenance of discipline in the University.

(2) The Director shall be ex-officio Member of the Board of Governors, the Chairperson of the Executive Committee, Academic Senate, the Finance Committee and other Authorities or Bodies of the University as provided by the Regulations. He shall preside at the Convocation of the University in the absence of the Visitor, the Pro Visitor and the Chairperson of the Board of Governors. He shall also preside at the meetings of other Authorities or Bodies of the University, and shall be entitled to vote.

(3) He shall implement all the decisions of the Authorities or bodies of the University.

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

(5) He may either himself or through any Officer of the University authorized in writing by him convene the meetings of the Executive Committee, the Academic Senate, the Finance Committee and other Authorities or Bodies of the University where he is the Ex-officio Chairperson and shall perform all such acts as may be necessary to carry out and give effect to the decisions of these Authorities.

(6) In case of an emergency which, in his opinion requires immediate action, the Director 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, the powers vested under this sub-section shall not be exercised to revise the pay scales of University employees.

(7) The Director shall exercise such other powers and perform such other duties and functions as may be provided by the Ordinances or Regulations of the University or as may be delegated to him by the Board of Governors or the Chairperson of the Board, as the case may be:

Provided that, the Board may lay down the criteria to be followed by the Director while exercising powers and performing his duties, which shall be evaluated by the Board annually, and if the Board is of the opinion that such criteria has not been followed, then, the Board may, after giving an opportunity of being heard to the Director, initiate action for removal of the Director under sub section (12) of section 24.

26. Registrar.- (1) The Registrar shall be the whole-time officer of the University and shall be appointed by the Board of Governors for a tenure of three years from out of a panel of three suitable persons recommended by the Director after having invited applications from appropriately experienced persons in accordance with the Regulations.

(2) The Registrar shall be the ex-officio Secretary of the Board of Governors, Member Secretary of the Academic Senate and the Executive Committee and Member of the Finance Committee of the University.

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

- (i) to be the custodian of the records, the common seal and such other property of the University as the Board of Governors or the Director shall commit to his charge;
- (ii) to be responsible to the Director for the proper discharge of his functions;
- (iii) to issue notices convening the meetings of the Board of Governors, the Executive Committee, the Academic Senate, the Faculties or Schools, the Boards of Studies and of any Authority or body of the University (with the approval of the Chairperson of the Board of Governors or Director and to keep the minutes of all such meetings;
- (iv) to conduct the official correspondence of the Authorities or the bodies of which he is the Secretary; and
- (v) to supply to the Visitor and to the State Government copies of the agenda of the meetings of the Authorities or the bodies of the University concerned as soon as they are issued and the minutes of the meetings within a month of holding of the meetings.

(4) The Registrar shall exercise such other powers and perform such other duties as may be provided by the Regulations, Ordinances or Regulations and as may be allocated to him from time to time by the Board of Governors or Director.

(5) The Registrar may be assisted by one or more Deputy and or Assistant Registrars based on the size and range of activities of the University.

27. Controller of Examinations.- (1) The Controller of Examinations shall be appointed for a term of three years, by the Board of Governors from out of a panel of three suitable persons recommended by the Director from among the Professors of the University having a minimum of five years experience in that cadre.

(2) The Controller of Examinations shall be a Member of the Academic Senate of the University. He may be an invitee at the meetings of the Board of Governors, the Executive Committee and the Finance Committee, whenever required.

(3) The Controller of Examination shall be in-charge of the conduct of examinations and all other matters incidental thereto and ancillary therewith and shall perform such other duties as may be provided by the Regulations or Ordinances, or as may be allocated to him by the Director.

(4) The Controller of Examination may be assisted by one or more persons at the level of Deputy/Assistant Controller of Examinations, based on the size or range of activities of the University.

28. Finance Officer.- (1) The Finance Officer shall be the whole-time officer of the University and shall be appointed by the Board of Governors for a tenure of three years from out of a panel of three suitable persons recommended by the Director after having invited applications from appropriately experienced persons in accordance with the Regulations.

(2) The Finance Officer shall subject to the control of the Finance Committee, exercise such powers and perform such duties and functions as may be prescribed by the Regulations and the Ordinances or as may be required from time to time by the Board of Governors or Director. He shall be the ex-officio Member-secretary of the Finance Committee and an Invitee at the meetings of other Authorities or bodies of the University as may be required.

29. Arrangement of Work During Vacancies in the Offices of the Registrar, the Controller of Examinations and the Finance Officer.- (1) In the event of death, suspension or temporary absence of the Registrar, the Controller of Examinations or the Finance Officer, the Board of Governors may authorize any other suitable officer of the University to perform the duties of the Registrar, Controller of Examinations 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, Controller of Examinations or the Finance Officer, the Director may authorize any officer to perform the duties of such vacant post till the appointment is made. The Director shall immediately report the action taken by him under this sub-section to the Board of Governors.

30. Deans of Faculties or Schools.- (1) Every Dean of Faculty or School shall be the Chief Academic Officer of the Faculty or School concerned. A Professor in each Faculty or School according to seniority shall by rotation, be appointed by the Board of Governors as Dean of the Faculty or School for a period of two years:

Provided that, if there is no Professor available in a Faculty, the senior most Associate Professor in the Faculty may be appointed as Dean.

Provided further that, if in any Faculty, there is no Professor or an Associate Professor, any other Professor in a related discipline may be appointed to act as the Dean, till a Professor or Associate Professor is appointed in that Faculty.

Provided also that, where no person is available in a Faculty or School to act as Dean or where the University does not have such a Department of Studies for any Faculty or School, then a Professor in a related Department of Studies or

from a sister university may be appointed to act as the Dean of the Faculty or School.

(2) The Dean shall preside over the meetings of the Faculty or School concerned at the University.

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

31. Other Officers.- Other officers needed for the University, and their designations, powers and duties shall be as determined by the Regulations.

CHAPTER – V

ENROLMENT AND AWARD OF DEGREES

32. Admission to the University.- Admission to the University shall, subject to the provisions of this Act and statutes, be open to all persons:

Provided that, nothing in this section shall require, the University to admit to any course of study students larger in number than or with academic or other qualifications lower than those specified in the regulation.

33. Honorary Degrees.- (1) If the Academic Senate so recommends by a two thirds majority decision of its members present at its meeting that an Honorary Degree or other academic distinction be conferred on any person on the ground that he in its opinion, by reason of eminent attainment and position, is fit and proper to receive such a degree or academic distinction, the Board of Governors may recommend the same for the approval of the Visitor for conferment of such a Degree on the person concerned.

(2) The Honorary Degree or academic 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 any subject assigned to any Faculty of the University as may be approved or have rendered conspicuous service to the cause of education and research, shall be identified for the purpose of grant of such Honorary Degrees:

Provided that, not more than three eminent persons may be conferred Honoris Causa at a time.

(3) A Degree of Doctor of Science (D.Sc.) Honoris Causa may be conferred upon a person, who has distinguished himself in any branch of science or technology, and planning, organizing or developing scientific and technological institutions.

34. Withdrawal of Degrees or Diploma.- (1) The Board of Governors may, on the recommendation of the Academic Senate arrived at by two third majority

decision of its members present, withdraw any distinction, degree, diploma or privilege conferred on or granted to, any person by a resolution passed by a simple majority of the total number of members the Board of Governors and by a majority of not less than two-third 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, has obtained admission through a false caste certificate or any such claim.

(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 Board of Governors shall be immediately sent to the person concerned, along with the show-cause notice.

(4) Any person aggrieved by the decision taken by the Board of Governors may appeal to the Visitor within thirty days from the date of receipt of such resolution and show cause notice.

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

CHAPTER – VI

APPOINTMENT OF TEACHERS AND OTHER EMPLOYEES

35. The minimum qualifications, classification, method of appointment and promotion.- The minimum qualifications, classification, method of appointment and promotion of teachers and other academic staff, administrative, technical and other non-teaching staff of the University and their terms of office shall be as may be specified in the Regulations.

CHAPTER – VII

DUTIES AND OBLIGATIONS TO PERFORM EXAMINATION WORK

36. Duties of Teachers.- (1) Every teacher of the University shall carry out the work relating to teaching, research, examination or any other academic work assigned to him by the University, from time to time.

(2) For the purpose of sub-section (1), both the teaching and non-teaching employees in the service of the University shall be administratively controlled by the University. They shall abide by the instructions and orders issued by the University from time to time.

37. Obligation to perform the examination work.- (1) Any person who is entrusted with the examination work relating to question paper setting, invigilation, supervision, evaluation of answer scripts, conduct of practical examinations, printing of question papers and answer book blanks, tabulation and preparation of marks cards and all such activities incidental thereto and connected therewith shall discharge such duties prudently and with utmost integrity for attainment of the academic standards.

(2) If any person, who has been allotted the examination work under sub-section (1), is found guilty of breach of duties or involved in any misbehaviour shall on conviction be punished with imprisonment for a period which may extend to three years or with a fine up to ten thousand rupees or both.

(3) No Courts shall take cognizance of an offence punishable under this Section or the abetment of such offence saves on the complaint made by the Controller of Examinations of the University.

(4) Punishment for abetment of offences: Whoever instigates or abets the commission of an offence shall, on conviction be punished with the same punishment provided for in sub-section (2).

(5) Prohibition of private tuition: - (i) No Teacher of the University shall engage himself in private tuition or in any other employment or job in any manner without the permission of the University or the Authority which appointed him.

(ii) If any teacher is found involved in private tuition as referred to in clause (i) above, disciplinary action shall be initiated against him by the concerned Disciplinary Authority, viz., the Board of Governors of the University.

CHAPTER – VIII

GRANTS, ACCOUNTS AND AUDIT

38. Fund of the University.- (1) The University shall maintain a fund to which shall be credited,-

- (a) all moneys provided by the State and Central Governments;
- (b) all fees and other charges received by the University;
- (c) all moneys received by the University by way of grants, gifts, donations, benefactions, bequests or transfers;
- (d) all moneys received by the University from utilization of intellectual property arising from research conducted or rendering advisory or consultancy services by it; and
- (e) all moneys received by the University in any other manner or from any other source.

(2) All moneys credited to the fund of the University shall be deposited in such banks or invested in such manner as may be laid down by the Board by Regulations.

(3) The University shall create a corpus fund for long term sustainability of the University, to which shall be credited such percentage of the net income of the University and donations made specifically towards such corpus fund as the State Government may in accordance with the provisions of the Income tax Act notify:

Provided that, the Board may also create endowment funds for specific purposes to which donations may be specifically made.

(4) The fund of the University shall be applied in such manner and for such purposes as may be specified by the Regulations (towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its functions etc.).

(5) No part of the income of the University shall be utilized directly or indirectly for the benefit of any officers or authority of the University or any other person who has made substantial contribution to it or of any relative of such officer or authority or person or any relative of such authority of person has a substantial interest.

39. The Annual Accounts and Audit.- (1) The University shall maintain proper accounts including income and expenditure statements, internal audit report and statement audited by internal auditor specifying investments and other relevant records and prepare its annual statement of accounts including the balance sheet in such form and as per such accounting standard as may be specified by notification by the State Government in consultation with the Principal Director of State Audit and Accounts Department.

(2) Where the statement of income and expenditure and the balance sheet of the University do not comply with the accounting standards, the University shall disclose in its statement of income and expenditure and balance sheet, the following, namely:-

- (a) The deviation from the accounting standards;
- (b) The reasons for such deviation; and
- (c) The financial effect, if any, arising out of such deviation.

(3) The Annual Accounts so audited shall be placed before the Audit Committee and the Board of Governors along with audit report and thereafter transmitted annually to the State Government with comments before the end of September each year. The State Government shall lay the same before both the Houses of the State Legislature in accordance with such procedure as may be laid down by it.

(4) The statement of accounts referred to in sub-section (1) shall on its approval by the Board, be published on the website of the University.

(5) The University shall, where its total income as computed under the Income Tax Act without giving effect to the provisions of sections 11 and 12 of that Act exceeds the maximum amount which is not chargeable to income tax in any previous year, get its accounts for that year audited by an accountant as defined in the Explanation to sub-section (2) of section 288 of the Income Tax Act and furnish along with its return of income for the relevant assessment year the report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars as may be prescribed, in accordance with clauses (b) and (ba) of sub-section (1) of section 12A of the Income Tax Act.

(6) The University shall utilize its income and movable and immovable property only for the furtherance of its objects, shall not invest or deposit any income accumulated or set apart for application to charitable purpose in India in any form or mode other than those specified in sub-section (3) of section 11 of the Income Tax Act and shall not distribute its income or property to any person by way of profit, dividend and interest or in any other manner.

40. Financial Estimates.- (1) The Executive Committee shall prepare, with the assistance of the Finance Officer before 15th January, the financial estimates for the ensuing financial year and get them scrutinized by the Finance Committee and the Board of Governors and place the same before the Academic Senate. The Academic Senate shall consider the financial estimates and forward the same, with such modifications as it deems fit, to the Board of Governors for its approval by the end of March every year.

(2) The Board of Governors 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 the expenditure subject to such restrictions and conditions as may be specified in the Regulations. Where no provision has been made in the Budget in respect of such excess expenditure, a report shall be made to the Finance Committee for its consideration and advice at its next meeting.

(3) The Budget Estimates of the University shall be prepared keeping in view the anticipated grants from the State Government and all other sources including the mobilization of its resources. However, supplementary Budget Estimates may be placed before the Board in October every year in anticipation of any additional grants:

Provided that, no expenditure on this part shall be incurred unless such additional grants are received.

(4) The University shall not, without the prior approval of the State Government, divert for other purposes earmarked funds or revise the scales of pay of its staff or implement any scheme which involves any matching contribution from the State Government or a scheme which imposes a recurring liability on the State 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 is funded by the UGC, or the Central Government or met out of the interest derivable from a corpus or contribution or donation or endowment instituted by private sector or individual or industry or institutions and such a recurring liability does not cast any burden on the State Government and the entire expenditure in that respect is met out of the University funds.

41. Powers of Government to direct Audit.- (1) The State Government shall have the power to direct, whenever deemed necessary, an audit of the accounts of the University, by such auditors as may be prescribed.

(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 State Government.

CHAPTER -IX

REGULATIONS, ORDINANCES AND RULES

42. Power to make Regulations.- (1) The Board may, by notification, make Regulations not inconsistent with this Act and the rules made thereunder to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:

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- (a) tenure, remuneration and terms and conditions of employees of the existing UVCE;
- (b) admission of candidates to the various courses of study;
- (c) the conferment of honorary degrees;
- (d) the number of posts, emoluments and the duties and conditions of service of the academic, administrative, technical and other staff;
- (e) determine performance objectives on the basis of which variable pay may be paid to the Director;
- (f) to specify by Regulations, the fees to be charged for course of study

- and examinations in the University;
- (g) the manner of formation of Departments of teaching;
 - (h) the institution of fellowships, scholarships, exhibitions, medals and prizes;
 - (i) the qualifications, classification, terms of office and method of appointment of the academic, administrative, technical and other staff of the University;
 - (j) the constitution of pension, insurance and provident funds for the benefit of the academic, administrative, technical and other staff;
 - (k) the establishment and maintenance of buildings;
 - (l) the conditions of residence of students of the University and levying of fees for residence in the halls and hostels and of other charges;
 - (m) the manner of authentication of the orders and decisions of the Board;
 - (n) the meetings of the Board, the Academic Senate or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business;
 - (o) the financial accountability of the University;
 - (p) delegation of such powers and functions of the Board to the Director;
 - (q) the qualifications, experience and the manner of selection of the independent agency or group of expert under sub-section (6) of section (10);
 - (r) allowances of the members of the Board for attending meetings;
 - (s) such other powers and functions of the Academic Senate;
 - (t) the powers and duties of the Director;
 - (u) constitution of such committees and other authorities of the University and their duties and functions;
 - (v) the manner of depositing or investing the moneys credited to the Fund of the University;
 - (w) the manner of application of the Fund of the University;
 - (x) qualifications and process of selection of the Registrar;
 - (y) qualifications and process of selection of the Finance Officer;
 - (z) rules governing the enquiry to be conducted against any member of Board of Governors or Director; and
 - (aa) any other matter which is to be or may be, specified by Regulations.

43. Ordinances how made.- (1) Save as otherwise provided in this section, Ordinances shall be made by the Academic Senate.

(2) Subject to the provisions of this Act and the rules and regulations made thereunder, the Ordinances of the University may provide for all or any of the following matters, namely: -

- (a) The admission of students to the University;
- (b) The courses of study to be laid down for all degrees and diplomas of the University;
- (c) The conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the University, and shall be eligible for degrees and diplomas;
- (d) The conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;
- (e) The conditions and model of appointment and duties of examining bodies, examiners and moderators;
- (f) The conduct of examinations;
- (g) The maintenance of discipline among the students of the University; and
- (h) Constituting Anti Ragging committee to prevent Ragging in the University
- (i) Constitute a committee to ensure the prevention of sexual harassment of the students.
- (j) Constitute a student council for extracurricular or cultural matters.
- (k) To establish and maintain the following Cells, namely:-
 - (i) Equal Opportunity Cell;
 - (ii) e-Governance Cell;
 - (iii) Internal Quality Assurance Cell (IQAC);
 - (iv) Alumni Cell; and
 - (v) Women Cell.

(l) Any other matter which is to be or may be provided for by the Ordinances.

(3) All Ordinances made by the Academic Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next meeting.

(4) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall, from the date of such resolution, stand modified accordingly or cancelled, as the case may be.

44. Dissolution or winding up of the University.- In the event of dissolution or winding up of the University, the assets remaining as on the date of dissolution shall under no circumstances be distributed among the members of the Board of Governors or Finance Committee, but the same shall be transferred to the state government or another university whose objects are similar to that of this University with the approval of the State Government.

CHAPTER - X

MISCELLANEOUS PROVISIONS

45. Acts and proceedings not to be invalidated by vacancies, etc.- No act of the University or the Board or the Academic Senate or any other body set-up under this Act or the regulations, shall be invalid merely by reason of-

- (a) any vacancy or defect in the constitution thereof; or
- (b) any irregularity in its procedure not affecting the merits of the case; or
- (c) any defect in the selection, nomination or appointment of a person acting as a member thereof.

46. Annual Report of the University.- (1) The annual report of the University for the financial year shall be prepared under the directions of the Board, which shall include, among other matters, steps taken by the University towards the fulfillment of its objects and outcome-based assessment of the research being undertaken in the University. It shall also highlight the activities of the University, its targets and achievements.

Explanation: For the purposes of this sub-section, the expression "outcome-based assessment of research" shall mean an elaboration and analysis of the research conducted and the qualitative and quantitative outcomes of such research along with its impact factor and social outcomes.

(2) The annual report prepared under sub-section (1) shall be submitted to the Board on or before such date as may be specified by the Board who shall consider the report in its meeting.

(3) The annual report on its approval by the Board shall be published on the website of the University.

(4) The annual report shall be submitted to the State Government who shall, as soon as may be, cause the same to be laid before both Houses of Legislature.

47. Information to be provided to Governments.- The University shall furnish to the State and Central Governments and other statutory bodies such reports, returns, statements, accounts or other information as may be required by them from time to time. It may be with respect to its policies or activities relating to the administration of the University as the State Government may require, for the purpose of reporting to the Legislature or for the making of policy, from time to time.

48. The University to be Public Authority under Right to Information Act.- (1) The provisions of the Right to Information Act, 2005 shall apply to the University, including Institutes established in public-private partnership, as if it were a public authority established by notification issued or order made under clause (h) of section 2 of the Right to Information Act, 2005.

(2) A copy of every notification proposed to be issued or order to be made under the Act referred to in sub-section (1), shall be laid in draft before each House of Legislature, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the

expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in disapproving the issue of the notification or order or both Houses agree in making any modification in the notification or order, the notification or order shall not be issued or made, as the case may be, shall be issued or made only in such modified form as may be agreed upon by both the Houses.

49. Service Terms and Removals.- (1) The terms of service of the teaching and non-teaching staff (including academic staff in non-teaching positions) shall be as set out in the Regulations. Employees currently employed by the original University Visvesvaraya College of Engineering (UVCE) shall continue to get all the service and pension benefits as before.

(2) No member of the teaching or non-teaching staff of the University shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(3) An appeal from an order of dismissal, removal or reduction under subsection (2) or of termination shall lie to the Board of Governors within ninety days from the date of the communication of such order and the decision of it in such appeal shall be final.

50. Pension and Provident Funds.- The University shall constitute for the benefit of its employees, in such manner and subject to such conditions as may be prescribed by the Regulations, such pension, insurance and provident funds as it may deem fit:

Provided that, current employees shall continue to get the benefits of either the old pension or the new pension scheme as they are entitled in the existing University Visvesvaraya College of Engineering (UVCE). It shall not be altered to their disadvantage.

51. Filling up of casual vacancies.- Save as otherwise provided in this Act, when any vacancy occurs in the office of a non-official member of any authority or other body of the University before the expiry of the term of office of such member, the vacancy shall be filled up, as soon conveniently as may be, by nomination, appointment or, as the case may be, co-option of a member who shall hold office so long only as the member in whose place he has been nominated, appointed or co-opted, would have held it, if the vacancy had not occurred.

52. Inspection and Control.- (1) The Visitor may, suo-motu or on the recommendation of the State Government, cause an inspection to be made by a Commission of Enquiry consisting of one or more persons as he may direct, of the buildings, laboratories, libraries, museums, workshops and equipment maintained, administered, recognized or approved by the University and also of the

examinations, teaching and other work conducted or done by the University and into any specific allegations against any employee of the University in like manner in respect of any matter connected with or ancillary thereto.

(2) The Commission directed to make an inspection or inquiry under subsection (1) shall have access for that purpose to the related Schools or Departments or Centers, premises and to such accounts or other records as may be necessary.

(3) The Commission shall submit a report of the result of the inspection or inquiry to the Visitor and shall forward a copy thereof to the State Government.

(4) Soon after receipt of the report, the Visitor shall record his findings thereon and send the same to the State Government for taking further action, as may be necessary or as recommend by him.

(5) The State Government shall recommend to the Board of Governors or Director to initiate such action as has been directed by the State Government with respect to the findings in the report of enquiry or inspection and the Board of Governors shall implement the directions of the Government.

53. Act to Prevail over Other Enactments.- The provisions of this Act and any Rule/Regulation made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act.

54. Transitory Provisions.- The State Government may, without prejudice to the provisions of this Act, if it considers it so necessary and expedient, by notification, take such measures, which may be necessary for the smooth transfer of the existing University Visvesvaraya College of Engineering (UVCE) to the University, including with respect to students who are currently pursuing their education in UVCE.

55. Saving of Certain Examinations.- Notwithstanding anything contained in this Act and the Karnataka State Universities Act, 2000 or the Statues, Ordinances, Regulations and Rules made thereunder where immediately before the commencement of this Act,-

- (a) Any student studying for degree under Bangalore University in accordance with statues, ordinances, regulations and rules in force he may until such examination is provided by the University, be admitted to the examination of the Bangalore University and be conferred with the degrees or diplomas for which he qualifies on the result of such examinations;
- (b) The Bangalore 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 Bangalore University, then such examination shall be

deemed to have been held by the Bangalore University.

56. Power to Remove Difficulties.- (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions 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 order shall be made under this section after the expiry of five years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before the State Legislature.

The above translation of ವಿಶ್ವೇಶ್ವರಯ್ಯ ಇಂಜಿನಿಯರಿಂಗ್ ಕಾಲೇಜು ವಿಶ್ವವಿದ್ಯಾಲಯ ಅಧಿನಿಯಮ, 2021 (2022ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 09) be published in the official Gazette under clause (3) of Article 348 of the constitution of India.

THAAWARCHAND GEHLOT
GOVERNOR OF KARNATAKA

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

(G.SRIDHAR)
Secretary to Government
Department of Parliamentary
Affairs and Legislation

GOVERNMENT OF KARNATAKA

No. ED 59 UBV 2020 (P-1)

Karnataka Government Secretariat
M.S. Building,
Bangalore, dated: 25.03.2022

NOTIFICATION

In exercise of power conferred under sub-section 92) of section 1 of the University of Visvesvaraya College of Engineering Act (Karnataka Act No. 09 of 2022), the Government of Karnataka hereby appoints 25th March, 2022 as the date on which all provisions of the said Act shall come into force.

By order and in the name of the
Governor of Karnataka.

(MAHESH R.)

Under Secretary to Government,
Higher Education Department
(Universities-2)