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Thirteenth Kerala Legislative Assembly  
Bill No. 351

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**THE KERALA TECHNOLOGICAL UNIVERSITY BILL, 2015**

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[Translation in English of “2015-ലെ കേരള ശാസ്ത്രസാങ്കേതിക സർവ്വകലാശാല ബിൽ” published under the authority of the Governor.]

THE KERALA TECHNOLOGICAL UNIVERSITY BILL, 2015

A

BILL

*to establish and incorporate a University for the promotion of technical education in the State of Kerala.*

*Preamble.*—WHEREAS, it is expedient to establish and incorporate, a University for the promotion of technical education in the State of Kerala and for matters connected therewith or incidental thereto;

BE it enacted in the Sixty-sixth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kerala Technological University Act, 2015.

(2) It shall be deemed to have come into force on the 5th day of May, 2014.

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

(a) “academic autonomy” means a privilege of the University conferred by regulations permitting a college, institution or department of the University to conduct academic programmes, develop syllabus for the respective subjects of the various branches of engineering courses, devise teaching and evaluation methods, conduct examinations leading to the award of a degree, diploma, certificate and such other titles and distinctions by the University in accordance with the provisions of the Statutes and Ordinances;

(b) “Academic Committee” means the Academic Committee of the University constituted under section 32;

(c) “affiliated college or institution” means a college or institution imparting technical education and is affiliated to the University in accordance with the provisions of this Act and the Statutes;

(d) “aided college or institution” means a private college or institution which is entitled to receive funds from the Government for payment of salary and allowances to its staff;

(c) "AICTE" means the All India Council for Technical Education established under the All India Council for Technical Education Act, 1987 (Central Act 52 of 1987);

(f) "authorities" means the authorities of the University as provided in section 23;

(g) "autonomous college" means a college designated as autonomous college in accordance with the provisions of this Act and the Statutes and in which instruction is provided in accordance with the provisions of the Statutes, Ordinances and Regulations ;

(h) "Board of Governors" means the Board of Governors of the University;

(i) "branch of study" means a specialized course of study in engineering sciences declared as such by the University and leading to the award of a degree, diploma, certificate or such other titles and distinctions by the University in accordance with the provisions of the Statutes and Ordinances ;

(j) "Chairman" means the Chairman of the University appointed under section 12;

(k) "Chancellor" means the Chancellor of the University;

(l) "constituent college" means a college maintained and managed by the University;

(m) "Dean (Academic)" means the Dean (Academic) of the University;

(n) "Dean (Research)" means the Dean (Research) of the University;

(o) "educational agency" means any person or body of persons who or which establishes and maintains a private engineering college or more than one private engineering colleges;

(p) "Engineering college" means an institution offering and conducting engineering courses at under graduate, postgraduate and research level and functions in accordance with the rules, guidelines and procedures of, and with the approval of, the AICTE and in accordance with the provisions of this Act, Statutes, Ordinances and Regulations;

(q) "engineering course" means a course of study at under graduate, postgraduate or research level conducted by an engineering college;

(r) "Executive Committee" means the Executive Committee of the University;

(s) "faculty" means the faculty of the University;

(t) "Government" means Government of Kerala ;

(u) "Government controlled self financing college" means a college which receives fund from the Government and provide instructions in accordance with the provisions of the Statutes, Ordinances and Regulations and affiliated to the University;

(v) "Government College" means a college maintained by the Government and affiliated to the University;

(w) "hostel" means a unit of residence for the students of the University, maintained or recognized by the University in accordance with the provisions of this Act or the Statutes;

(x) "officer" means an officer of the University specified in Chapter III of this Act or any other person designated as an officer by the Statutes;

(y) "Orders" means the Orders issued by the University;

(z) "Ordinances" means the Ordinances made by the University in accordance with the provisions of this Act;

(za) "prescribed" means prescribed by Statutes, Ordinances and Regulations made under this Act;

(zb) "Principal" means the head of a college;

(zc) "private college" means a college maintained by an educational agency other than the Government or the University and affiliated to the University;

(zd) "Pro-Chancellor" means the Pro-Chancellor of the University;

(ze) "Pro-Vice-Chancellor" means the Pro-Vice Chancellor of the University;

(zf) "Registrar" means the Registrar of the University;

(zg) "regular college" means a college affiliated to the University in accordance with the provisions of this Act and the Statutes which provide instructions in accordance with the provisions of the Statutes, Ordinances and Regulations;

(zh) "Regulations" means the Regulations of the University made under this Act;

(zi) "Statutes" means the Statutes of the University made under this Act;

(zj) "Scheduled Castes" shall have the same meaning assigned to it in clause (24) of article 366 of the Constitution of India;

(zk) "Scheduled Tribes" shall have the same meaning assigned to it in clause (25) of article 366 of the Constitution of India;

(zl) "Statc" means the State of Kerala;

(zm) "student" means a person duly admitted to and continuing in a college affiliated to the University or in the University or in an institution; for undergoing an engineering course leading to the award of a degree, diploma, certificate or other academic distinctions instituted by the University;

(zn) "teacher" means a person appointed or recognised by the University for the purpose of imparting instructions or guiding research or conduct of any other project or conduct of programme, and includes any other person who may be declared by the Statutes to be a teacher;

(zo) "unaided college" means a private college not entitled for any financial assistance from the Government or the University;

(zp) "unitary management" means an educational agency which manages one private college;

(zq) "University" means the Kerala Technological University established and incorporated under this Act;

(zr) "University Fund" means the University fund constituted under section 49;

(zs) "Vice-Chancellor" means the Vice-Chancellor of the University.

## CHAPTER II

### THE UNIVERSITY

3. *Establishment and incorporation of the University.*—(1) There shall be established a University by the name "The Kerala Technological University", which shall consist of a Chancellor, a Pro-Chancellor, a Chairman, a Vice-Chancellor, a Pro-Vice-Chancellor, a Board of Governors, an Executive Committee, an Academic Committee, Research Council and other authorities and officers as provided in this Act.

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

(3) The University shall be competent to acquire and hold properties both movable and immovable, and to lease, sell or otherwise transfer, for the

*bona fide* need of the University or for a purpose aiming at its development, any movable or immovable property which may have become vested in or have been acquired by it for the purpose of the University and to borrow moneys from the State Government, Central Government or any other State Government or from any legally constituted body corporate and to contract and to do all other things necessary for the purposes of this Act.

(4) In all suits and other legal proceedings by or against the University, the pleadings shall be signed and verified by the Registrar or any other person authorised by him in this behalf and all processes in such suits and proceedings shall be issued to, and served on, the Registrar.

(5) The University shall be both a teaching and affiliating University.

(6) The headquarters of the University shall be at Thiruvananthapuram.

4. *Territorial limits.*—(1) The territorial limits of the University shall extend to the whole of the State of Kerala.

(2) Any Engineering college situated in the State, complying with the criteria prescribed under this Act, Statutes and Ordinances for affiliation, including but not confined to availability of faculty, administrative machinery, infrastructure (buildings, laboratories etc.) which will be laid down by the University from time to time under the provisions of this Act, can be affiliated to the University as,—

(i) regular college, or

(ii) constituent college, or

(iii) autonomous college, or

(iv) college with academic autonomy.

5. *Objects of the University.*—The objects of the University shall be as follows, namely:—

(a) to give leadership to the technology related policy formulation and engineering planning for the State;

(b) to improve the academic standards of the graduate, postgraduate and research programmes in engineering sciences, technology and management;

(c) to regulate the academic standards of all colleges affiliated to the University;

(d) to monitor, regulate and ensure that the academic standards of all institutions not affiliated to the University, but conducting engineering courses in the State, are in accordance with law and in accordance with such guidelines and orders issued by the University;

(e) to advance and disseminate learning and knowledge in engineering sciences and allied fields by fostering and promoting engineering research;

(f) to design new courses and curricula based on the advances in accordance with the norms, if any, laid down by the AICTE;

(g) to act as the nodal agency for linkages in the field of engineering sciences, technology and management with other national and international institutions;

(h) to promote interdisciplinary education and research in the field of, engineering sciences, technology and management;

(i) to promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge;

(j) to impart training with the use of modern communication media and technologies for the development of skills appropriate for a learning society in the context of innovations, research and discovery by establishing educational network related to engineering sciences;

(k) to give thrust for the development of indigenous technologies by encouraging research and other academic activities in the related areas;

(l) to substantially increase enrolment in Postgraduate education and research programmes in the colleges and institutions with the aim of promoting engineering research, development and innovation;

(m) to support the establishment of Centres of excellence for multidisciplinary applied research in specific thematic areas;

(n) to improve the learning skills of the students by constantly and continuously improving and upgrading the academic quality and standards of faculty;

(o) to introduce and sustain innovative systematic quality improvement programmes in the field of technical education;

(p) to give assistance for innovation in the field of engineering sciences, technology, management and institution level management programmes in the State;



(q) to promote community development activities by suitable extension activities;

(r) such other purposes as the University may from time to time determine.

6. *Admission to the University.*—(1) The University shall, subject to the provisions of this Act and the Statutes, be open to all citizens of India, persons of Indian origin and foreign citizens who satisfy such criteria as may be prescribed subject to the provisions of any law for the time being in force:

Provided that nothing in this section shall be deemed to require the University to admit to any course of study any person who does not meet the prescribed academic standards for admission or to retain on the rolls of the University any person whose academic records are below the minimum standards required for the award of a degree or diploma or certificate or whose personal conduct is prejudicial to the rights and privileges of other students and staff of the University or to admit to any course of study larger than the number of students that can be accommodated with the available facilities of the University as determined by the Academic Committee.

(2) Subject to the provisions of sub-section (1), the Government may direct that the University shall reserve in colleges seats for Scheduled Castes, Scheduled Tribes and Socially and Educationally Backward Classes and other special categories as may be notified from time to time and candidates from other States and Union territories in India:

Provided that no such person shall be entitled to be admitted to any course under the University unless he meets the minimum required standards for admission to such course as laid down by the University.

7. *Appointment of teaching and non-teaching staff.*—(1) Subject to the provisions of this Act and the Statutes made thereunder, the appointments to the posts which are not to be made through the Kerala Public Service Commission shall be made by the University.

(2) In making appointments to the teaching and non-teaching posts, the University shall, *mutatis mutandis*, observe the provisions of clauses (a), (b) and (c) of rule 14 and the provisions of rules 15, 16, 17 and 17A of the Kerala State and Subordinate Services Rules, 1958, as amended from time to time, and communal rotation shall be followed category-wise treating all the departments as one unit.

(3) The non-teaching staff of any of the Universities specified in the Schedule to this Act, who are affected by the establishment of the Kerala Technological University as per section 3, may give option for being appointed

in this University and the University may appoint them subject to the terms and conditions as may be prescribed.

(4) The teaching-non-teaching staff may be given appointment on deputation basis to the similar posts in the University in such manner as may be prescribed.

8. *Powers and functions of the University.*—The University shall have the following powers and functions, namely:—

(i) to provide instruction and research in such branches of engineering sciences, management and technology and interdisciplinary areas related to them as the University may think fit, and to facilitate for the advancement of learning and dissemination of knowledge in such branches;

(ii) to provide for instruction and research in basic sciences and humanities in so far as it relates to the furtherance of knowledge in interdisciplinary areas;

(iii) to lay down the norms and standards for the establishment, maintenance, administration, supervision and recognition of colleges and Centres maintained by the University;

(iv) to affiliate to itself institutions as constituent colleges or autonomous colleges or regular colleges or colleges with academic autonomy in accordance with the provisions of this Act and the Statutes, Ordinances and Regulations and to withdraw affiliation of colleges obtained in violation of Statutes of the University;

(v) to confer academic autonomy to affiliated colleges, institutions or a department of the affiliated colleges or institutions or a department maintained by the University;

(vi) to establish, maintain and administer colleges or other centres of learning or centres for conducting research programmes or institutions necessary to carry out the objectives of the University;

(vii) to hold examinations and to confer degrees, diplomas, certificates and other academic distinctions to persons who,—

(a) shall have pursued a prescribed course of study in the University or college or institutions thereunder and shall have passed the prescribed examinations of the University unless exempted therefrom in the manner prescribed; or

(b) shall have carried on research satisfactorily under conditions as may be prescribed and which has been duly evaluated;

(viii) to confer honorary degrees and other distinctions in accordance with the conditions that may be prescribed in the Statutes;

(ix) to withhold or withdraw or cancel degree, diploma, certificates or other distinctions under conditions that may be prescribed by the Statutes after giving the persons affected a reasonable opportunity of being heard;

(x) to fix the fees payable to the University;

(xi) to establish, maintain and administer hostels and to recognise hostels which are not under the management of the University and to suspend or withdraw such recognition;

(xii) to create various categories of posts in the University and in colleges and Centres maintained by the University with the prior approval of the Government and to prescribe by Statutes the scales of pay for such posts and to prescribe their qualifications and methods of appointment and to make appointments to such posts to which appointments are not to be made through the Kerala Public Service Commission;

(xiii) to control and regulate admission of students for various courses of study in colleges, Departments or Centres maintained by the University;

(xiv) to provide for the inspection of affiliated colleges and to issue such directions as the University may deem fit;

(xv) to institute and award fellowships, travelling fellowships, scholarships, studentships, medals and prizes for teachers and students of the University and affiliated colleges;

(xvi) to co-operate with other universities or any authorities or associations in such manner and for such purposes as the University may determine;

(xvii) to augment the resources of the University by exploring or innovating activities such as research and development, consultancy, training programmes by providing services to clients from industry, trade or any other non-government organisations;

(xviii) to recommend to the Government to take over, in the public interest, the management of colleges or institutions where irregularities or dereliction of criminal nature by the management of such college or institution are *prima facie* evident to the committee of enquiry appointed by the University;

(xix) to receive funds for collaboration programmes from foreign agencies subject to rules and regulations of the Central Government and State Government in that behalf;

(xx) to lay down service conditions including code of conduct, workload, norms of performance appraisal and such other instructions or directions for teachers of affiliated colleges and University teachers as, in the opinion of the University, may be necessary in academic matters;

(xxi) to define the powers and duties of the officers of the University other than the Vice-Chancellor;

(xxii) to exercise control over the students of the University, to secure their standard of education, welfare, discipline and health and to exercise control for similar purposes over the students of affiliated colleges through such colleges;

(xxiii) to accept, hold and manage any endowments, donations or funds which may become vested in it for the purposes of the University by grant, testamentary disposition or otherwise and to invest such endowments, donations or funds in any manner that the University may deem fit and to institute scholarships, medals etc. from such funds subject to the condition that any donation from a foreign country, foreign foundation or any person in such country or foundation shall be accepted by the University only in accordance with the rules and guidelines of the Central Government and the State Government;

(xxiv) to acquire and hold any property, movable or immovable, which may become vested in it for the purposes of the University by way of purchase, grant, testamentary disposition or otherwise and to grant, demise, alienate or otherwise dispose of all or any of the properties belonging to the University for *bona fide* purposes only of the University and also to do all other acts incidental or appertaining to a body corporate;

(xxv) to borrow money with or without security, for such purposes as may be approved by the Government, from the Central Government, the AICTE, or other incorporated bodies subject to the provisions of this Act;

(xxvi) to make Statutes, Ordinances and Regulations and to amend, modify or repeal the same;

(xxvii) generally to do such other acts as may be required for the furtherance of the objects and purposes of this Act.

9. *Control of Government.*—(1) Without prior approval of the Government, the University shall not,—

(i) create any new post of teachers, officers or other employees;

(ii) revise pay, allowances, post-retirement benefits and other benefits of its teachers, officers and other employees ;

(iii) grant any special pay, allowance or other extra remuneration of any description, including *ex-gratia* payment or other benefits having financial implications, to any of its teachers, officers or other employees ;

(iv) divert any funds earmarked for any purpose other than that for which it was received ;

(v) take any decision regarding affiliated colleges resulting in direct or indirect additional financial liability to the Government.

(2) Where the University makes default in exercising powers or performing duties as specified in this Act and Statutes to be made or where the University has not exercised such powers or performed such duties adequately or makes default in complying with any order issued by the Government, the Government may, by conducting such enquiry as it may deem fit, issue a directive to the University for proper exercise of such powers or performance of such duties or compliance with the order and it shall be the duty of the University to comply with such direction.

(3) The Comptroller and Auditor General and the Government shall carry out audit of the accounts of the University or a constituent college under the University regularly at such intervals as provided in the relevant Acts and as deem fit to the Government.

### CHAPTER III

#### THE CHANCELLOR, PRO-CHANCELLOR AND OFFICERS OF THE UNIVERSITY

10. *The Chancellor.*—(1) The Governor of Kerala shall, by virtue of his office, be the Chancellor of the University.

(2) The Chancellor shall be the Head of the University and when present, shall preside over the convocations of the University.

(3) The Chancellor shall, after obtaining report in writing from the Vice-Chancellor, suspend or modify any resolution, order or proceedings of any authority, body, committee or officer, which in the opinion of the Chancellor is

not in conformity with this Act, Statutes, Ordinances or Regulations or is against the interest of the University and the University, authority, body, committee and officer shall comply with the same:

Provided that, before making any such order, the Chancellor shall call upon the University, authority, body, committee or officer, as the case may be, to show cause within the period specified, why such an order should not be made, and if any cause is shown, the Chancellor shall consider the same and after consulting the Government wherever he deems it necessary, decide the action to be taken in the said matter, and such decision shall be final.

(4) The Chancellor shall have the power to remove the Vice-Chancellor from the office by an order in writing on charges of misappropriation of funds, misconduct, mismanagement or any other good and sufficient reason:

Provided that before taking action under this sub-section, such charges shall be proved by an inquiry conducted by a person who is or has been a judge of the High Court or the Supreme Court, appointed by the Chancellor for the purpose:

Provided further that the Vice-Chancellor shall not be removed under this section unless he has been given a reasonable opportunity of showing cause against the action proposed to be taken against him.

(5) The Chancellor shall exercise such other powers and perform such other duties as may be conferred upon, or vested in, the Chancellor by or under this Act or the Statutes.

11. *The Pro-Chancellor.*—(1) The Minister-in-charge of Education in the State shall, by virtue of his office, be the Pro-Chancellor of the University.

(2) In the absence of the Chancellor or during his inability to act, the Pro-Chancellor shall exercise all the powers and perform all the functions of the Chancellor.

(3) The annual programme of work of the University shall be referred to the Pro-Chancellor for his information and any suggestion made by him may be considered by the Board of Governors.

(4) The Pro-Chancellor shall also exercise such powers and perform such functions of the Chancellor as the Chancellor may, by order in writing delegate to the Pro-Chancellor and such delegation may be subject to such restrictions and conditions as may be specified in such order.

12. *The Chairman.*—(1) The Chairman shall be an eminent academican of international repute who has served or is serving in the field of engineering sciences and is not below the level of the Director of a National Institute or an eminent industrialist of equivalent status whose work has been recognized at the national or international level.

(2) The Chairman shall be appointed by the Chancellor on the recommendation of the Government.

(3) The Chairman shall hold office for a period of four years from the date of appointment.

(4) The terms and conditions of appointment of the Chairman shall be fixed by the Government.

(5) The Chairman shall preside over the meetings of the Board of Governors in the absence of the Chancellor.

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

(7) The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes.

(8) The Chairman may in writing under his hand addressed to the Chancellor, resign his office before the term of appointment ceases. The resignation shall take effect from the date of receipt of the communication by the Chancellor.

13. *Officers of the University.*—The following shall be the officers of the University, namely:—

- (i) the Vice-Chancellor;
- (ii) the Pro-Vice-Chancellor;
- (iii) the Registrar;
- (iv) the Finance Officer;
- (v) the Controller of Examinations;
- (vi) the Dean (Research);
- (vii) the Dean (Academic);
- (viii) such other persons in the service of the University as may be declared by the Statutes to be officers of the University.

14. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be the principal executive and academic officer of the University. He shall be the *ex-officio* Chairman of the Executive Committee and of the Academic Committee.

(2) The first Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Government and thereafter the Vice-Chancellor shall be appointed by the Chancellor from among a panel of names recommended by a Search Committee consisting of the following members, namely:—

- (i) one member nominated by the Chancellor;
- (ii) one member elected by the Board of Governors;
- (iii) one member nominated by the AICTE;
- (iv) Chief Secretary of the State.

The Chancellor shall appoint one of the members of the Committee to be the Convenor.

(3) The process of preparing a panel shall begin at least three months before the probable date of occurrence of the vacancy of the Vice-Chancellor and shall be completed within the time-limit fixed by the Chancellor. The Chancellor, however, may extend such time-limit, if, in the exigency of the circumstances, it is necessary to do so. However, the period so extended shall not exceed three months in the aggregate.

(4) The Committee shall recommend unanimously a panel of not less than three suitable persons from amongst the eminent persons in the field of engineering sciences. The names shall be in alphabetical order. The report shall be accompanied by a detailed write-up on the suitability of each person included in the panel. In case the Committee fails to make a unanimous recommendation as provided, each member of the Committee may submit a panel of three names to the Chancellor. The non-submission of the panel by any member of the Committee shall not invalidate the appointment of the Vice-Chancellor.

(5) If the Chancellor does not approve any of the persons so recommended by the Committee, he may call for a fresh panel either from the same committee or after constitution of a new committee for the purpose, from such a new committee.

(6) No person who is more than sixty one years of age shall be appointed as Vice-Chancellor and after the appointment, he shall, subject to the terms and conditions of his appointment, hold office for a period of four years from the date on which he enters upon his office or till he attains the age of sixty five years, whichever is earlier.



(7) The persons appointed as Vice-Chancellor will be eligible for re-appointment provided he has not attained the maximum age mentioned in sub-section (6).

(8) In any of the following circumstances, the existence of a vacancy of Vice-Chancellor shall be judged by the Chancellor himself and the Chancellor may appoint any suitable person as the Vice-Chancellor for a term not exceeding six months in the aggregate, namely:—

(i) where the committee appointed under sub-section (1) is unable to recommend any name within the time-limit specified by the Chancellor ;

(ii) where vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise and it cannot be filled up conveniently and expeditiously in accordance with the provisions of sub-sections (1) to (6);

(iii) where the vacancy in the office of the Vice-Chancellor arises temporarily because of leave, illness or of other causes;

(iv) where the term of office of the Vice-Chancellor expires; or

(v) where there is any other emergency:

Provided that the person so appointed shall cease to hold such office on the date on which the Vice-Chancellor resumes office.

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

(10) The remuneration payable to, and other conditions of service of, the Vice-Chancellor shall be such as may be prescribed by Statutes.

(11) Such sumptuary allowance as the Government may approve from time to time or as prescribed by Statutes, shall be placed at the disposal of the Vice-Chancellor.

(12) The Vice-Chancellor may, by writing under his hand addressed to the Chancellor, after giving one month's notice, resign from his office and shall cease to hold that office on the acceptance of the resignation by the Chancellor or on the date of expiry of the said notice period, whichever is earlier.

(13) The Vice-Chancellor may be removed from the office if the Chancellor is satisfied that he,—

(i) has become insane and stands so declared by a competent authority;

(ii) has been convicted by a court for any offence involving moral turpitude;

(iii) has become an undischarged insolvent and stands so declared by a competent authority;

(iv) has become physically unfit and incapable of discharging functions due to protracted illness or physical disability:

Provided that before taking steps for removal of the incumbent Vice-Chancellor under clause (iv), a reasonable opportunity to show cause shall be given to him.

15. *Powers of the Vice-Chancellor.*—(1) The Vice-Chancellor shall be the principal academic and executive officer of the University. He shall be responsible for the development of academic programmes of the University. He shall oversee and monitor the administration of the academic programmes and general administration of the University to ensure efficiency and good order of the University.

(2) The Vice-Chancellor shall have the power to convene meetings of any of the authorities, bodies or committees, as and when he considers that such meeting is necessary.

(3) The Vice-Chancellor shall ensure that the directions issued by the Board of Governors are strictly complied with or implemented.

(4) It shall be the duty of the Vice-Chancellor to ensure that the actions of the University are carried out in accordance with the provisions of this Act, Statutes, Ordinances and Regulations and that the decisions of the authorities, bodies and committees are not inconsistent with this Act, Statutes, Ordinances or Regulations.

(5) If there are reasonable grounds for the Vice-Chancellor to believe that there is an emergency which requires immediate action to be taken, he shall, take such action as he thinks necessary, and shall, as soon as may be, report in writing, the grounds for the emergency and the action taken by him, to such authority or body which, in the ordinary course, would have dealt with the matter. In the event of a difference arising between the Vice-Chancellor and the authority, on the issue of existence of such an emergency, or on the action taken or on both, the matter shall be referred to the Chancellor whose decision shall be final.

(6) Where any matter is required to be regulated by Statutes or Regulations but no Statutes or Regulations have been made in that behalf, the Vice-Chancellor shall, for the time being, regulate the matter by issuing such directions as the Vice-Chancellor thinks necessary, and shall, as soon as may be,

submit them before the Board of Governors or other authority or body concerned for approval.

(7) The Vice-Chancellor shall appoint the University teachers based on the recommendations of the Selection Committee constituted for the said purpose in such manner as may be prescribed by Statutes and with the approval of the Board of Governors.

(8) The Vice-Chancellor shall appoint all officers of the University of and above the rank of Deputy Registrar based on the recommendations of the Selection Committee constituted in such manner as may be prescribed by Statutes and with the approval of the Board of Governors.

(9) The Vice-Chancellor shall have full financial power to make expenditure provided that the expenditure shall not exceed the budget allotment approved by the Board of Governors.

(10) As the Chairperson of the authorities or bodies or committees of the University, the Vice-Chancellor shall have the power to suspend a member from the meeting of the authority, body or committee for obstructing or stalling the proceedings or for indulging in behavior unbecoming of a member and shall report the matter accordingly to the Board of Governors.

(11) Subject to the provisions of the Statutes and Ordinances, the Vice-Chancellor shall have the power to suspend, discharge, dismiss or otherwise take any disciplinary action against the staff of the University after giving them reasonable opportunity to defend their part.

(12) The Vice-Chancellor shall have the power to withhold or cancel the results of any candidate in any University Examination.

(13) The Vice-Chancellor shall appoint the members of all Committees and Boards in accordance with the Statutes, unless specified in this Act.

(14) The Vice-Chancellor shall place before the Board of Governors and Executive Committee a report of the work done by the University periodically as provided under the Statutes.

(15) The Vice-Chancellor shall exercise such other powers and perform such other duties as may be conferred upon the Vice-Chancellor by or under this Act and Statutes.

16. *Appointment, powers and duties of the Pro-Vice-Chancellor.*—(1) The Pro-Vice-Chancellor shall be appointed by the Chancellor and he shall be a whole-time salaried officer of the University.

(2) No person who is more than sixty years of age shall be appointed as Pro-Vice-Chancellor.

(3) The term of appointment of the Pro-Vice-Chancellor shall be for a period of four years and if found eligible for reappointment, he may be appointed for the next four years also:

Provided that no person who is more than sixty years of age shall be eligible for reappointment.

(4) The salary and other conditions of service of the Pro-Vice-Chancellor shall be as determined by the Chancellor.

(5) Subject to the provisions of this Act and the Statutes, Ordinances and Regulations, the powers and duties of the Pro-Vice-Chancellor shall be determined by the Chancellor in consultation with the Vice-Chancellor and the Pro-Vice-Chancellor shall exercise such powers and perform such duties in due course.

17. *Appointment, powers and functions of the Registrar.*—(1) The Registrar shall be appointed by the Vice-Chancellor with the approval of the Board of Governors on the recommendation of a Selection Committee constituted for this purpose as may be prescribed by Statutes.

(2) The Registrar shall be the Chief Administrative Officer of the University. He shall be a full-time salaried officer and shall work directly under the superintendence, direction and control of the Vice-Chancellor.

(3) Appointment of the Registrar shall be for a term of four years and he shall be eligible for reappointment. The qualifications and experience for the purpose of selection of the Registrar shall be as approved by the Government.

(4) When the office of the Registrar falls vacant or when the Registrar is, by reason of illness or absence or any other cause, unable to perform the duties of his office for a period not exceeding six months, the Vice-Chancellor shall appoint a suitable person to officiate as the Registrar until a new Registrar is appointed and assume office or the Registrar resumes duty, as the case may be.

(5) The Registrar shall act as Convenor of the Board of Governors and the Executive Committee.

(6) Subject to the decisions of the authorities of the University, the Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University.

(7) The Registrar shall be the custodian of records, the common seal and such other properties of the University as the Board of Governors or the Executive Committee entrusts with him.

(8) The Registrar shall prepare and update the Handbook of the Statutes and Regulations approved by the authorities, bodies or committees from time to time, and make it available to all the respective members of the authorities and officers of the University.

(9) The Registrar shall receive complaints and suggestions in regard to the improvement of administration and consider them for appropriate action.

(10) The Registrar shall exercise such other powers and perform such other duties as provided by or under this Act or as may be prescribed by Statutes or assigned to him, from time to time, by the Vice-Chancellor.

18. *Appointment of Finance Officer.*—(1) The Finance Officer shall be a full-time salaried officer of the University and shall be appointed by the Vice-Chancellor for such period and on such terms as may be prescribed by Statutes.

(2) The powers, duties and functions of the Finance Officer shall be as provided by or under this Act or as may be prescribed by Statutes or as assigned to him, from time to time, by the Vice-Chancellor.

19. *Appointment, powers and functions of the Controller of Examinations.*—(1) The Controller of Examinations shall be appointed by the Vice-Chancellor, on the recommendation of a Selection Committee constituted for this purpose as may be prescribed by the Statutes. The Controller shall be a full-time salaried officer of the University and shall work directly under the control of the Vice-Chancellor.

(2) The appointment of the Controller of Examinations shall be for a term of four years and he shall be eligible for reappointment. The qualifications and experience required for a person to be appointed as the Controller shall be such as may be prescribed by Statutes.

(3) The Controller of Examinations shall be the Principal Officer-in-charge of the conduct of examinations and tests of the University and declaration of their results and shall discharge the functions under the superintendence, direction and guidance of the Vice-Chancellor.

20. *Appointment, powers and functions of the Dean (Academic) and Dean (Research).*—(1) There shall be a Dean (Academic) and a Dean (Research). The Dean (Academic) and Dean (Research) shall be the academic officers of the University responsible for implementation of the academic policies and research policies, respectively, as approved by the Executive Committee in respect of academic development, maintenance of standards of teaching and training of teachers and research within the Faculties. The terms and conditions of service and distribution of work shall be such as may be prescribed by Statutes. The Dean (Academic) shall convene the Academic Committee as and when necessary.

(2) The Deans shall be responsible for the academic development and research development of the Faculty of the affiliated colleges and Centres of the University and shall ensure proper implementation of the decisions of the Board of Governors, Executive Committee and Academic Committee in respect of the matters under the purview of the Dean.

(3) Subject to the superintendence, direction and control of the Vice-Chancellor, the Deans shall, after taking such advice as the Dean thinks necessary, decide upon the grievances of students regarding the enrolment, eligibility, migration, scholarships, researchships, studentships or feeships, and terms of admission to University examinations.

21. *All officers of the University to be public servants.*—All salaried officers, teachers, members of the authorities, committees or bodies of the University and other staff of the University shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (Central Act 45 of 1860).

22. *Appointments to be notified.*—The appointment of the Vice-Chancellor, the Pro-Vice Chancellor, the Chairman, the Registrar, the Controller of Examinations and the Finance Officer shall be notified by the University in the Gazette.

#### CHAPTER IV

#### AUTHORITIES OF THE UNIVERSITY

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

- (i) The Board of Governors;
- (ii) The Executive Committee;
- (iii) The Academic Committee;
- (iv) The Research Council ; and

such other bodies of the University as may be designated by Statutes to be the authorities of the University.

24. *The Board of Governors.*—(1) The Board of Governors shall consist of the following members, namely:—

**Ex-officio Members**

- (i) The Chancellor;
- (ii) The Pro-Chancellor;
- (iii) Chairman;
- (iv) The Secretary to Government in charge of the Higher Education Department, Government of Kerala;
- (v) The Secretary to Government in charge of the Finance Department, Government of Kerala;
- (vi) Vice-Chancellor;
- (vii) Pro-Vice-Chancellor;
- (viii) The Director of Technical Education, Government of Kerala;
- (ix) Dean (Academic);
- (x) Dean (Research);
- (xi) One Director of the Indian Institute of Technology, nominated by the Government;
- (xii) Director, Vikram Sarabhai Space Centre;
- (xiii) Director, Indian Institute of Space Science and Technology;
- (xiv) Director, Indian Institute of Science Education and Research;
- (xv) Director, National Institute of Technology, Kozhikode.

**Nominated Members**

(i) One eminent Industrialist not below the rank of Chief Executive Officer in a Multi-National Company having a turnover of more than thousand crore rupees, nominated by the Chancellor on the recommendation of the Government;

(ii) Three members nominated by the Speaker of the Kerala Legislative Assembly from among the Members of Legislative Assembly, of whom one shall be from the Scheduled Castes or Scheduled Tribes;

(iii) Principals of two engineering colleges nominated by the Chancellor on the recommendation of the Government, of whom one shall be from Government/Aided sector;

(iv) Three eminent academicians with post doctoral publications working in national level technological institutions, nominated by the Chancellor on the recommendation of the Government, of whom one shall be a woman;

(v) Two eminent academicians of the science branch working in the Science education departments in the Universities in Kerala who has supervised Ph.D. research and having post doctoral publications;

(vi) Managers of two engineering colleges nominated by the Chancellor on the recommendation of the Government, of whom one shall be a person from the unaided self financing sector.

#### Other Members

(i) One member representing AICTE;

(ii) Director, Kerala Science and Technology, Museum.

(2) The Registrar shall be the *ex-officio* Secretary of the Board of Governors.

25. *Reconstitution of the Board of Governors.*—(1) The Board of Governors shall be reconstituted every four years.

(2) Every member of the Board of Governors, other than an *ex-officio* member, shall, subject to the provisions of this Act and the Statutes and Ordinances, hold office until the reconstitution of the Board of Governors.

(3) The term of office of a member nominated to fill a casual vacancy shall be for the remaining period of the term of office of the member in whose place he has been nominated.

(4) Notwithstanding anything contained in this section, an outgoing member shall, unless the Government otherwise directs, 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, if any, from the University as may be prescribed by Statutes.

26. *Powers, functions and duties of the Board of Governors.*—(1) The Board of Governors shall be the supreme authority of the University and shall have the power to review the actions of the Executive Committee and the Academic Committee save where the Executive Committee or the Academic Committee has acted in accordance with the powers conferred upon it under this Act, the Statutes, the Ordinances or the Regulations, and shall also exercise all the powers of the University not otherwise provided for by this Act or the Statutes:



Provided that if any question arises as to whether the Executive Committee or the Academic Committee has acted in accordance with such powers as aforesaid or not, the question shall be decided by the Chancellor and his decision thereon shall be final.

(2) Save as otherwise expressly provided in this Act, the Board of Governors shall have the following powers, namely:—

(i) to provide for instruction and research in such branches of engineering sciences, management and technology, and interdisciplinary areas related to them as the University may think fit, and for the advancement of learning and dissemination of knowledge in such branches;

(ii) to provide for instruction and research in basic sciences and humanities in so far as it relates to the furtherance of knowledge in interdisciplinary areas;

(iii) to make, amend or repeal Statutes either of its own motion or on the motion of the Executive Committee;

(iv) to cancel or amend any Ordinance passed by the Executive Committee or any Regulation passed by the Academic Committee;

(v) to approve and lay down norms and standards for affiliating colleges as regular colleges or autonomous colleges or constituent colleges or colleges with academic autonomy of the University;

(vi) to affiliate to itself institutions as constituent colleges or autonomous colleges or regular colleges or colleges with academic autonomy in accordance with the provisions of this Act and the Statutes, Ordinances and Regulations and to withdraw affiliation of colleges;

(vii) to confer academic autonomy to a college, department of a college or department of University or Centres in accordance with the Statutes;

(viii) to establish and maintain and manage such institutions, Departments, Centres, institutes of research as it may, from time to time, deem necessary, subject to the provisions of this Act;

(ix) to grant degrees, diplomas, certificates or other distinctions to persons who have pursued a prescribed course of study under the conditions prescribed in the Statutes;

(x) to confer such honorary degrees and other distinctions in the manner as may be prescribed by Statutes;

(xi) to withhold or withdraw or cancel any degree, diploma, title or any other distinction granted to any person, in accordance with the provisions of the Statutes, after giving the persons affected a reasonable opportunity of being heard;

(xii) to institute fellowships, scholarships, studentships, bursaries, medals and prizes and organise exhibitions in accordance with the provisions of this Act, the Statutes, the Ordinances and the Regulations;

(xiii) to create posts in the University, constituent colleges and Centres maintained by the University, in accordance with clause (ix) of section 42, for teaching, research and administration, to fix qualifications for such posts and to appoint persons to such posts in accordance with the provisions of this Act and the Statutes;

(xiv) to lay down qualification of teachers and non-teaching staff of private colleges and approve the appointment of teachers and non-teaching staff in such colleges;

(xv) to lay down the terms and conditions of service of the employees of the University subject to the provisions of the law in force made by the Central Government or State Government;

(xvi) to lay down for teachers of private colleges and constituent colleges, service conditions including code of conduct, workload, norms of performance appraisal, option for transfer of teachers in the constituent colleges and such other instructions or directions as, in the opinion of the University, may be necessary in academic matters;

(xvii) to augment the resources of the University by exploring or innovating activities such as research, development, consultancy, training programmes by providing services to clients from industry, trade or any other non-government organisations;

(xviii) to prescribe the powers and duties of the officers of the University other than the Vice-Chancellor in addition to powers conferred on such officers by the Act;

(xix) to acquire and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary disposition or otherwise and to grant, demise, alienate or otherwise dispose of all or any of the properties belonging to the University and also to do all other acts incidental or appertaining to a body corporate;

(xx) to recommend to the Government to take over, in the public interest, the management of colleges or institutions where irregularities or omissions of criminal nature by the management of such college or institution are *prima facie* evident to the committee of enquiry appointed by the University;

(xxi) to review and take such action as it may deem fit on the annual report and the annual accounts of the University placed before it by the Executive Committee and to consider and pass the budget according to the provisions of the Statutes;

(xxii) to borrow money with or without security for such purpose as may be approved by the Government, from the Central Government, the AICTE or other incorporated bodies subject to the provisions of this Act;

(xxiii) to co-operate or collaborate with any other University, institution, authority or organization for research and advisory services and to enter into appropriate arrangement with other Universities, institutions, authorities, or organizations to conduct courses and for such purposes as the situation may demand;

(xxiv) to exercise such other powers and perform such other functions as may be assigned to it by this Act and the Statutes.

27. *Meetings of the Board of Governors.*—(1) The Board of Governors shall meet at least once in four months on dates to be fixed by the Chairman in the manner decided by the Board of Governors and it may be through video conferencing.

(2) One-third of the total number of members shall be the quorum for a meeting of the Board of Governors:

Provided that such quorum shall not be required for a convocation of the University or a meeting of the Board of Governors convened to confer degrees, titles or other distinctions.

(3) The Chairman may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than one-half of the total number of members of the Board of Governors, convene a special meeting of the Board of Governors.

(4) When a special meeting is convened on requisition, no subject other than that shown in the requisition shall be considered in the meeting.

(5) The meetings of the Board of Governors shall be presided over by the Chairman in the absence of Chancellor and in his absence the

Vice-Chancellor shall preside over the meeting provided that not more than two consecutive meetings of the Board shall be convened in the absence of the Chairman.

28. *The Executive Committee.*—(1) The Executive Committee shall be the chief executive body of the University and shall consist of the following members, namely:—

#### **Ex-officio Members**

- (i) The Vice-Chancellor;
- (ii) Pro-Vice-Chancellor;
- (iii) Secretary to Government in charge of the Finance Department;
- (iv) Secretary to Government in charge of the Higher Education Department;
- (v) Director of Technical Education;
- (vi) Dean (Research);
- (vii) Dean (Academic);
- (viii) Registrar;
- (ix) One member nominated by the Government from among the Members of Legislative Assembly, who are members of the Board of Governors;
- (x) One member nominated by the Government from among the Principals of the Engineering Colleges in the Board of Governors.

#### **Other Members**

Two members to be nominated by the Board of Governors from among the *ex-officio* members.

(2) The Vice-Chancellor shall be the Chairperson of the Executive Committee and the Registrar shall be the *ex-officio* Secretary of the Executive Committee.

29. *Meetings of the Executive Committee.*—(1) The Executive Committee shall meet as often as decided by the Vice-Chancellor but at least once in two months on the dates to be fixed by the Vice-Chancellor. The quorum for a meeting of the Executive Committee shall be five.

(2) The Registrar shall convene the meetings of the Executive Committee at such place and on such date and time as may be directed by the Vice-Chancellor.

30. *Term of office of members of the Executive Committee.* -The members of the Executive Committee, other than *ex-officio* members, shall hold office for a term of four years from the date of their nomination. The term of office of other members of the Executive Committee shall be co-terminus with the office they hold.

31. *Powers, functions and duties of the Executive Committee.*---(1) Subject to the provisions of this Act and the Statutes, the executive powers of the University, including the general superintendence and control over the institutions of the University, shall be vested in the Executive Committee.

(2) Subject to the provisions of this Act and the Statutes, the Committee shall have the following powers, namely:--

- (i) to make Ordinances in conformity with this Act and the Statutes made thereunder and to amend or repeal the same;
- (ii) to propose Statutes for the consideration of the Board of Governors;
- (iii) to propose norms and standards for affiliating colleges as regular colleges or autonomous colleges or constituent colleges of the University;
- (iv) to establish, maintain and administer hostels and to recognise hostels not managed by the University and to suspend or withdraw such recognition;
- (v) to exercise control over the students of the University, to secure their health, well being and discipline and to exercise through the affiliated colleges control for similar purposes over the students of affiliated colleges;
- (vi) to control and regulate admission of students for various courses of study in colleges, departments, or centres maintained by the University;
- (vii) to conduct University examinations and approve and publish the results thereof;
- (viii) to fix the fees payable to the University and to demand and receive such fees;
- (ix) to accept endowments, bequests, donations and transfers of any movable or immovable properties to the University on its behalf, provided all such endowments, bequests, donations and transfers shall be reported to the Board of Governors at its next meeting;
- (x) to receive funds for collaboration programmes from foreign agencies subject to the rules and regulations of the Central Government and State Government in that behalf;

(xi) to direct for the management and control of all immovable and movable properties transferred to the University by the Government;

(xii) to consider the financial estimates of the University and submit them to the Board of Governors in accordance with the provisions of the Statutes made in this behalf;

(xiii) to direct the form, custody and use of the common seal of the University;

(xiv) to arrange for and direct the investigation into the affairs of affiliated colleges, to issue instructions for maintaining their efficiency, for ensuring academic and administrative resources, infrastructural facility, academic performance, performance of teachers of these colleges and in the case of private colleges ensure payment of adequate salaries and service conditions to the members of the staff and in case of disregard of such instructions, to modify the conditions of affiliation or take such steps as it deems proper in that behalf;

(xv) to define the powers and duties of the officers of the University other than those provided in this Act;

(xvi) to delegate any of its powers to the Vice-Chancellor or to a committee appointed from among its members;

(xvii) to exercise such other powers and perform such other functions as may be prescribed by this Act, the Statutes and the Ordinances.

32. *Constitution of the Academic Committee.*—(1) The Academic Committee shall be the principal, academic body of the University responsible for the maintenance of standards of instruction, education, training, research and examinations and shall be constituted by the Board of Governors for every two academic year.

(2) The Academic Committee shall consist of the following members, namely:—

(i) Vice-Chancellor, *ex-officio* Chairperson;

(ii) Pro-Vice-Chancellor;

(iii) Four Principals of affiliated colleges out of which one shall be from Government colleges, one from Government controlled self financing colleges, one from unaided colleges and one from aided colleges nominated by the Chancellor on the recommendation of the Government;

(iv) Four teachers not below the rank of Professors, representing various branches of engineering, from the affiliated colleges nominated by the Chancellor on the recommendation of the Government, of which one each shall represent the Government Colleges, Government controlled self financing colleges, unaided colleges and aided colleges, respectively, and one among them shall belong to the Scheduled Castes or Scheduled Tribes;

(v) Two eminent industrialists nominated by the Chancellor on the recommendation of the Government;

(vi) Two eminent academicians working in institutes of national repute, nominated by the Chancellor on the recommendation of the Government;

(vii) Dean (Academic), Convenor;

(viii) Dean (Research).

33. *Meetings of the Academic Committee.*—The Academic Committee shall meet as often as decided by the Vice-Chancellor but at least once in two months on dates to be fixed by the Vice-Chancellor. The quorum for a meeting of the Academic Committee shall be one-third of its total members. The meetings of the Academic Committee shall be convened by the Dean (Academic) as directed by the Vice-Chancellor.

34. *Term of office of members of Academic Committee.*—The term of office of the nominated members of the Academic Committee shall be two consecutive academic years and shall terminate at the end of second academic year. The term of office of other members of the Academic Committee shall be co-terminus with the office they hold in the University or such authority of the University.

35. *Powers, functions and duties of the Academic Committee.*—Subject to the provisions of this Act and the Statutes, the Academic Committee shall have the following powers, duties and functions, namely:—

(i) to advise the Board of Governors and Executive Committee on all academic matters;

(ii) to make regulations in conformity with this Act, Statutes and Ordinances made thereunder and to amend and repeal the same;

(iii) to make proposals for research and advancement and dissemination of knowledge;

(iv) to prescribe the courses of studies in the colleges, institutions maintained by or affiliated to the University;

(v) to prescribe the qualifications for admission of students to the various branches of studies and to the examinations with the approval of Executive Committee;

(vi) to submit to the Board of Governors and Executive Committee the proposals regarding institution of degrees, diplomas, certificates and other academic distinctions;

(vii) to decide what examinations of other Universities may be accepted as equivalent to those of the University and to negotiate with other Universities for the recognition of the examinations of the University;

(viii) to recommend to the Board of Governors, conferment of autonomous status on University institutions, departments, affiliated colleges and institutions in accordance with the provisions of the Ordinances and policies of the State Government in this regard;

(ix) to submit to the Board of Governors feasibility reports on academic programmes recommended by the Board of Governors at its last annual meeting;

(x) to exercise such other powers and perform such other duties as may be conferred on it under this Act or the Statutes, Ordinances and Regulations made thereunder.

36 *Constitution of Research Council.* There shall be a Research Council consisting of,

(i) The Vice Chancellor (Chairman);

(ii) The Pro-Vice-Chancellor;

(iii) The Principal Secretary, Higher Education Department, Government of Kerala (Vice-Chairman);

(iv) Vice-Chairman, Higher Education Council, Government of Kerala, (*Ex-officio* member);

(v) Director, Indian Institute of Technology, Madras (*Ex-officio* member);

(vi) Vice-Chancellor, University of Kerala (*Ex-officio* member);

(vii) Director, Vikram Sarabhai Space Centre, Thiruvananthapuram (*Ex-officio* member);

(viii) Director, Indian Institute of Space Technology, Thiruvananthapuram (*Ex-officio* member);



(ix) Director, Naval Physical and Oceanographic Laboratory, Cochin (*Ex-officio* member);

(x) Director, National Institute of Technology, Kozhikode (*Ex-officio* member);

(xi) Director, Indian Institute of Science Education and Research, Thiruvananthapuram (*Ex-officio* member);

(xii) Vice Chairman, Kerala State Council for Science, Technology and Environment, Thiruvananthapuram (*Ex-officio* member);

(xiii) Secretary to Government of India, Department of Science and Technology or his nominee (*Ex-officio* member);

(xiv) Director General, Council for Scientific and Industrial Research, New Delhi (*Ex-officio* member);

(xv) Principal Secretary, Finance Department, Government of Kerala (*Ex-officio* member);

(xvi) Director of Technical Education, Government of Kerala (*Ex-officio* member);

(xvii) Dean (Research), (Member Secretary).

37. *Powers, duties and functions of Research Council.*--(1) Subject to the provisions of this Act and the Statutes, the University shall carry out research throughout the State to address the major problems of technical education, engineering and technology and allied sciences for the purposes of aiding the development of technical education and for the benefit of the mankind.

(2) The University through its Research Council shall be the principal agency to control over research activities in the State with the following powers, functions and duties, namely:—

(i) to co-ordinate the research activities in the affiliated Colleges of the University;

(ii) to create an atmosphere that encourages research;

(iii) to provide mentoring to researchers in the various affiliated colleges;

(iv) to establish academic-industrial interaction and bridge the gap between them to meet the fast growing research and development needs of industry;

(v) to interact with various national and international research bodies;

(vi) to improve the status of research in affiliated Colleges in the State to the national level;

(vii) to undertake research activities and development projects offered by agencies such as Indian Space Research Organization, Defence Research and Development Organisation, Council for Scientific and Industrial Research, Department of Science and Technology, All India Council for Technical Education, University Grants Commission, Department of Biotechnology and INFOSYS;

(viii) to obtain funds and infrastructural support for research and development activities from funding agencies;

(ix) to identify potential researchers and provide seed money to obtain research funding;

(x) to organise Kerala State Technological Congress;

(xi) to promote a University based Research Park;

(xii) to provide consultancy services through the colleges and institutions of the University;

(xiii) to motivate and support students and faculty in the affiliated Colleges to translate their ideas and innovative developments;

(xiv) to publish periodicals, bulletin, journal, etc. related to Engineering research;

(xv) to provide expert opinion, consultancy, testing and certification and technical support in all areas of engineering and technology to various agencies and organizations.

38. *Other Committees.*—The Vice-Chancellor shall have the power to appoint committees like Board of Studies, Board of Examinations, Planning Committee etc. for purposes to achieve the objects of this Act, which may, unless otherwise provided in this Act or the Statutes, consist of the members of authorities and such other persons as it may think fit.

39. *Provisions relating to membership in authorities.*—(1) Save as otherwise provided in this Act, any casual vacancy among the members, other than *ex-officio* members of any authority of the University shall be filled, as soon as may be, by the person or body who or which nominated that person

and the person nominated to casual vacancy shall be a member of such authority or body for the remaining period for which the person whose place he fills would have been a member.

(2) The Board of Governors may remove any person from membership of any authority or body of the University on the ground that such person has been convicted of an offence involving moral turpitude:

Provided that no order for removal shall be passed against any person without giving him an opportunity of being heard.

(3) Any person who is a member of any authority of the University, other than the Board of Governors or the Executive Committee, as a representative of another body, whether of the University or not, shall retain his seat in the authority or body only so long as he continues to be a member of the body by which he was nominated and thereafter till his successor is duly nominated.

(4) If any question arises as to whether any person has been duly nominated or he is entitled to be a member of such authority of the University, the question shall be referred to the Chancellor whose decision thereon shall be final.

40. *Savings of validity.*—(1) No act or proceedings of any authority or body of the University shall be invalid merely by reason of any defect in the constitution of such authority or body or the existence of any vacancy or by reason of any person whose tenure is questionable, has participated in the proceedings.

(2) Save as otherwise provided in this Act, all acts done and orders issued in good faith by the University or any authority or body of the University shall be final and no suit shall be instituted against or damage claimed from the University or authority or body for anything done or purported to be done in pursuance of this Act, the Statutes, the Ordinances and the Regulations made thereunder.

(3) No suit or prosecution or any other inquiry against the Vice-Chancellor shall be initiated except with the prior permission of the Chancellor.

(4) No suit, prosecution or other proceedings shall lie against any officer or other employees of the University for any act done or purported to be done under this Act, or the Statutes or the Ordinances or the Regulations without the previous sanction of the Board of Governors.

(5) No officer or other employee of the University shall be liable in respect of any such act in any civil or criminal proceedings if the act was done in good faith and in the usual course of executing the duties or in the discharge of functions enjoined by this Act.

41. *Prohibition of officers and employees in accepting remuneration.*— No officer or employee of the University shall, from any source, accept any remuneration save as may be provided for in the Statutes.

#### CHAPTER V

#### STATUTES, ORDINANCES, REGULATIONS AND ORDERS

42. *Statutes.*— Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

- (i) the powers and duties of the officers of the University;
- (ii) the constitution, powers and duties of the authorities of the University not specifically provided for in this Act;
- (iii) the procedure for appointment, selection and nomination of members of the Board of Governors, the Executive Committee, the Academic Committee and other authorities or bodies of the University and all such other matters, relating to these authorities or bodies, as may be necessary or desirable to provide;
- (iv) conferment of honorary degrees, titles and distinction and holding convocation;
- (v) the establishment and maintenance of the University, departments, institutions, constituent colleges, institutions of higher learning, centres for research or specialised studies and hostels;
- (vi) the principles governing the seniority and service conditions of the staff of the University;
- (vii) the provision for disqualifying members of the authorities, bodies or committees of the University;
- (viii) conferring autonomy to a college, department of a college or department of a University or its laboratories and centres and recognition of institutions;
- (ix) qualifications, recruitment, workload, code of conduct, terms of office, duties and conditions of service, the provision of pension, gratuity and provident fund, the procedure of appointment, the manner of termination of their

services, wherever applicable, as approved by the State Government including periodic assessment of teachers, officers and other staff who belong either to the University or the private colleges which are affiliated to the University or constituent colleges of the University;

(x) application of funds of the University for furtherance of the objectives of the University;

(xi) conditions and procedure for the affiliation of colleges or for withdrawing the affiliation of colleges;

(xii) acceptance and management of trusts, bequests, donations, endowments and grants from individuals or organizations;

(xiii) provision of reservation of adequate number of posts of teachers, officers and other staff of the University and affiliated colleges, for the members of the Scheduled Castes and Scheduled Tribes and Socially and Educationally Backward Classes in accordance with the constitutional provisions and policy of the State Government;

(xiv) disciplinary action against teachers, officers and other staff of the University, affiliated colleges and recognised institutions. other than the private colleges not aided by the Government in any form, and the colleges or the institutions managed and maintained by the State Government or Central Government or Local Authorities;

(xv) the taking over or transferring, in public interest, of the management of a college or institution by the University and the conditions for such taking over or transferring, subject to the approval of the State Government;

(xvi) the establishment and maintenance of hostels;

(xvii) the manner of filling vacancies among members of any authority unless otherwise specified in this Act;

(xviii) the remuneration and conditions of service of the Vice-Chancellor;

(xix) any matter as may be prescribed by Statutes or which is necessary to give effect to the provisions of this Act.

43. *Procedure for making Statutes.*—(1) Notwithstanding anything contained in this Act, the Government shall make the first statutes of the University.

(2) The Board of Governors may, from time to time, make new or additional statutes or may amend or repeal the statutes referred to in sub-section (1).

(3) The Statute may be made, amended or repealed by the Board of Governors on the recommendation of the Executive Committee in the manner hereinafter provided,—

(i) The Board of Governors may take into consideration the draft of a Statute either moved by any member of the Board of Governors or on a proposal by the Vice-Chancellor;

(ii) The Board of Governors, if it thinks necessary may also obtain the opinion of any officer, authority or body of the University in regard to any draft Statute which is before it for consideration:

Provided that, where any such draft Statute pertains to academic matters the Board of Governors shall obtain the opinion of the Academic Committee before considering the same;

(iii) The Board of Governors shall not propose the draft of a Statute or of an amendment to a Statute affecting the status, powers or constitution of any authority of the University until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Board of Governors;

(iv) No Statute providing for the conditions for, or procedure relating to the affiliation of private colleges shall be passed by the Board of Governors without the previous approval of the Government;

(v) Every Statute passed by the Board of Governors shall be submitted to the Chancellor who may give or withhold his assent thereto, or send it back to the Board of Governors for reconsideration;

(vi) No Statute passed by the Board of Governors shall be valid or shall come into force until assented to, by the Chancellor.

44. *Ordinances.*—Subject to the conditions prescribed by or under this Act, the Executive Committee may make Ordinances, to provide for all or any of the following matters, namely:—

(i) the conditions under which students shall be admitted to courses of study and to the examinations of the University and shall be eligible for the award of degree, diploma, certificate and other academic distinctions;

(ii) the fees to be charged for enrolment of students for attending such courses in the University and that for admission to the examinations leading to degrees, diplomas, certificates and other academic distinctions, and for registration of graduates and any other type of fees to be charged;

(iii) the conditions of residence, conduct and discipline of the students of the University, and action to be taken against them for breach of discipline or misconduct, including the following:—

(a) use of unfair means at an examination or abetment thereof ;

(b) refusal to appear or give evidence in any authorised inquiry by an officer in charge of an examination or by any officer or authority of the University ; or

(c) disorderly or otherwise objectionable conduct, whether within or outside the University;

(iv) the conditions governing the appointment and duties of examiners ;

(v) the conduct of examinations and other tests and the manner in which the candidates may be assessed or examined by the examiners ;

(vi) the classification of teachers, staff strength in various departments, workload of teachers and other staff in the University departments and affiliated colleges;

(vii) the inspection of affiliated colleges, institutions, and hostels ;

(viii) the mode of execution of contracts or agreements by or on behalf of the University;

(ix) the rules to be observed and enforced by affiliated colleges and institutions regarding transfer of students wherever necessary;

(x) all other matters which, by or under this Act or Statutes, are to be or may be, provided by Ordinances; and

(xi) generally, all matters for which provision is, in the opinion of the Board of Governors, necessary for the exercise of the powers conferred or the performance of the duties imposed on any authority of the University under this Act or Statutes.

45. *Procedure for making Ordinances.*—The Executive Committee may make, amend or repeal Ordinances in the manner hereinafter provided,—

(i) No Ordinance concerning matters referred to in section 44 or any other matter connected with the maintenance of the standards of teaching and examinations within the University, shall be made by the Executive Committee unless a draft thereof has been considered by the Academic Committee;

(ii) The Executive Committee shall not have the power to amend any draft proposed by the Academic Committee under clause (i) above; but may

return it to the Academic Committee for reconsideration, in part or in whole together with any amendments which the Executive Committee may suggest;

(iii) All Ordinances made by the Executive Committee shall have effect from such date as it may direct, but every Ordinance so made shall be submitted to the Board of Governors during the succeeding meeting of the Board. The Chairman shall have the power to direct the Executive Committee, within four weeks of the receipt of the Ordinances, to suspend its operation and he shall, as soon as possible, inform the Executive Committee of his objection to it. He may, after receiving the comments of the Executive Committee either withdraw the order suspending the Ordinances or disallow the Ordinances and his decision shall be final.

46. *Regulations.*—(1) Subject to the provisions of this Act, the Statutes and Ordinances and the approval of the Board of Governors, the Academic Committee may make regulations in the manner prescribed by Statutes, providing for all or any of the following matters, namely:—

(i) the branches of studies and the conduct of examinations;

(ii) fixing of number of working days, number of actual days of instructions, holidays other than Sundays, vacation and terms in academic year;

(iii) recognition of examinations, degrees and diplomas of other Universities as equivalent to the examinations, degrees and diplomas of the University; and

(iv) all other matters which under the provisions of this Act, the Statutes and the Ordinances are to be, or may be, prescribed by the regulations.

(2) All regulations made under this Act shall have effect from such date as the Academic Committee may direct, but every regulation so made shall be laid before the Board of Governors during its next succeeding meeting.

47. *Orders.*—Any authority or body shall, subject to the previous approval of the Board of Governors, have the power to make orders not inconsistent with this Act, the Statutes, Ordinances and Regulations, for the guidance and working of the Boards and Committees and other bodies constituted under the provisions of this Act, the Statutes, the Ordinances and the Regulations and for regulating the procedure and conduct of business at the meetings of any authority of the University and providing for all matters solely concerning such authority or body.

48. *Publication in the Gazette.*—All Statutes, Ordinances and Regulations made under this Act shall be published by the University in the Gazette.



## CHAPTER VI

## FINANCE

49. *University Fund.*—(1) All grants and loans received from the Government, the Government of India, University Grants Commission, the AICTE and from any other source, all revenues of the University, all fees received, all income such as rent and profits derived from properties and funds vested in the University, all endowments and donations received from any source whatsoever, all other miscellaneous receipts of the University and deposits, remittances and service of funds, received in connection with the affairs of the University shall form one consolidated fund by name "The Kerala Technological University Fund" and shall be utilised for the purposes and in the manner laid down in this Act and in the Statutes, Ordinances, Regulations, and Orders:

Provided that separate accounts may be maintained for specific purposes.

(2) All moneys in the Kerala Technological University Fund shall be lodged in such banks or invested in such manner as the University may, with the approval of the State Government, fix.

(3) The University may invest such part of the moneys in the Kerala Technological University Fund, as it deems fit, in Government securities or securities guaranteed by the Government of India.

(4) The custody of the Kerala Technological University Fund, the payment of moneys therein, the withdrawal of moneys therefrom and all other ancillary matters shall be regulated by the Statutes and Ordinances made in that behalf.

(5) The Kerala Technological University Fund shall be used towards meeting the expenses of the University including expenses incurred in the exercise of its powers and discharge of its duties under this Act.

(6) The University shall maintain a separate fund for research activities. This may be the income from the Government of India, Government of Kerala, Central Autonomous Institute, International Research Agencies, Centre for Engineering Research and Development etc.

50. *Budget.*—(1) The annual budget estimates along with the financial statements of the University for ensuing financial year shall be prepared by the Finance Officer and presented to Executive Committee where it shall be discussed and final approved version shall be presented to the Board of Governors for consideration.

(2) The Board of Governors shall forward copies of financial estimates or statements as approved to the Government.

(3) The financial year of the University shall be same as that applicable to the Government.

51. *Internal audit.*—(1) The accounts of the University shall be audited at least once every year and in any case within six months of the closure of the financial year by the auditors appointed by the Board of Governors from amongst the firms of Chartered Accountants whose partners have no interest in any of the authorities or affairs of the University.

(2) The audited accounts shall be published by the University and a copy thereof together with the copy of the auditor's report shall be placed before the Board of Governors and submitted to the Chancellor and the Government.

52. *Annual accounts and audit.*—(1) The annual account of the University shall be prepared by the Finance Officer under the direction of the Executive Committee.

(2) The Government shall appoint auditors to conduct the audit of the accounts of the University and the institutions under the management of the University at regular intervals.

(3) The Auditor shall maintain a continuous audit of the accounts of the University and may, after giving due intimation, conduct local audit of any institution under the management of the University.

(4) The University shall bear the cost of the audit as fixed by the Government.

(5) After completing the audit for a year or for any short period or for any transaction or series of transactions, the Auditor shall send a report to the University and a duplicate copy thereof to the Government.

(6) The Executive Committee shall publish the annual accounts together with the annual report thereon and copies of such accounts and audit report shall be placed before the Board of Governors and after receiving the approval of the Board of Governors, it shall be submitted to the Government on or before the 1st day of March of the succeeding year.

(7) Immediately on receipt of the annual report under sub-section(6), the Government shall, cause the same to be laid on the Table of the Legislative Assembly, if it is in session, and if it is not in session, it shall be caused to be laid in the next session immediately following the receipt of such accounts.

(8) The Auditors shall, in the report under sub-section (5) satisfy all cases of irregular, illegal or improper expenditure or of failure to recover moneys or other property due to the University or of a loss or waste of money or other property thereof caused by neglect or misconduct of the officers and authorities of the University.

(9) The Auditors shall also report on any other matter related to the accounts of the University as may be required by the Government.

(10) The University shall forthwith remedy any defect or irregularity pointed out by the auditors and report the action taken to the Government.

53. *Annual report.*—(1) The annual report of the University shall be prepared and published by the University after receiving the approval of the Board of Governors and it shall be submitted to the Government on or before the 15th day of September of the succeeding year.

(2) Immediately on receipt of the annual report under sub-section (1), the Government shall, cause the same to be laid on the Table of the Legislative Assembly, if it is in session, and if it is not in session, it shall be caused to be laid in the next session immediately following the receipt of such report.

## CHAPTER VII

### MISCELLANEOUS

54. *Duties of authorities.*—(1) It shall be the duty of every authority or body or officer of the University to ensure that the interests of the University are duly safeguarded.

(2) If it is found that a damage or loss has been caused to the University by any action on the part of any authority or body or officer of the University not in conformity with the provisions of this Act, Statutes, Ordinances or Regulations, except when done in good faith, or any failure so as to act in conformity thereof, by wilful neglect or default on its or his part, such damage or loss shall be liable to be recovered from the authority or body or the concerned members thereof jointly or severally, or from the officer concerned, as the case may be, in accordance with the procedure prescribed by Statutes.

55. *Chancellor to decide disputes.*—If any question arises regarding the interpretation of any provision of this Act or of any Statutes, Ordinances or Regulations as to whether a person who has been duly appointed or nominated or co-opted is entitled to be a member of any authority or body of the University, the matter may be referred, on petition by any person or body directly affected, or *suo motu* by the Vice-Chancellor to the Chancellor, who shall after taking such advice as deemed necessary, decide the question in consultation with the Government and such decision shall be final.

56. *Protection of Acts done in good faith.*—All acts done or orders passed in good faith by the University or any of its officers, authorities or bodies shall, subject to the other provisions of this Act, be final and accordingly no suit or other legal proceedings shall be instituted against or maintained or damages claimed from the University or its officers, authorities or bodies for anything done or orders passed, or purporting to have been done or passed in good faith and in pursuance of the provisions of this Act and the Statutes, Ordinances and Regulations.

57. *Delegation of power.*—Subject to the provisions of this Act and the Statutes, any officer or authority of the University may, by order, delegate any of its powers, except the power to make Statutes, Ordinances and Regulations to any other officer or authority of the University subject to the condition that the ultimate responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating them.

58. *Proceedings of the University not to be invalidated.*—No act or proceeding of the Board of Governors or Executive Committee or Academic Committee or any other authority or any body or committee of the University including a committee appointed by the Chancellor for the appointment of a Vice-Chancellor, shall be deemed to be invalid at anytime merely on the ground that,—

(i) any of the members of any such authority, body or committee are not duly elected, appointed, nominated or co-opted or for any other reason are not available to take office at the time of the constitution or to attend any meeting thereof or any person is a member in more than one capacity or there is any other defect in the constitution thereof or there are one or more vacancies in the offices of members thereof; or

(ii) there is any irregularity in the procedure of any such authority, body or committee not affecting the merits of the matter under consideration.

## PERMISSION, AFFILIATION AND RECOGNITION OF COLLEGES

59. *Affiliation and Recognition.*—(1) The University can affiliate any of the Engineering Colleges or Institutions imparting education in technology owned by Government of Kerala or Government Controlled Societies, Private aided and Private unaided self-financing educational agencies, which, before the date of commencement of this Act remained affiliated to the different Universities, except Deemed Universities in the State of Kerala, provided they meet the criteria prescribed under this Act, Ordinances and Statutes for affiliation, including but not confined to availability of faculty, administrative machinery, infrastructure (buildings, laboratories etc.) which will be laid down by the University from time to time under the provisions of this Act. Such colleges meeting the specified criteria can be affiliated to the University as (i) regular colleges or (ii) constituent colleges or (iii) autonomous colleges or (iv) colleges with academic autonomy. The affiliation of such institutions to other Universities in the State except Deemed Universities, shall stand transferred to the University on and from the date of commencement of this Act, subject to the conditions that the affiliation of these colleges or institutions in respect of the students admitted to Engineering courses shall continue till those batches of students complete their courses, the examinations of all such students shall be conducted by the Universities to which they were attached, degrees or diplomas or other distinctions shall be awarded by such Universities:

Provided that the institutions in the technological branch maintained by other Universities of the State as their departments or their respective constituent colleges or the engineering colleges or teaching institutions under the deemed universities and the National Institutes established by the Central Government shall not come under the jurisdiction of the University.

(2) The Educational Agency applying for affiliation or recognition and whose college or institution has been granted affiliation or recognition, shall give and comply with the following undertaking:—

(i) that the provisions of this Act, or any other Acts passed by the State Legislature related to Engineering field in the State, rules made thereunder and Statutes, Ordinances, Regulations, standing orders and directions of the University shall be observed;

(ii) that there shall be a separate Governing Body or Managing Council for an affiliated college or group of colleges receiving financial assistance from the Government or the University;

(iii) that the number of students admitted for courses of study shall not exceed the limits prescribed from time to time, by the University, the Government, Central or State Councils or authorities in the concerned discipline as the case may be;

(iv) that there shall be suitable and adequate physical facilities such as building, laboratories, libraries, equipments required for teaching and research, hostel and other infrastructure facilities as the case may be, prescribed by Statutes, Ordinances and Regulations;

(v) that the financial resources of the college or institution shall be such as to make due provision for its continued maintenance and working ;

(vi) that the strength and qualifications of teaching and non-teaching staff of the affiliated colleges and the emoluments and the terms and conditions of service of the staff of affiliated colleges shall be such as may be prescribed by the University and which shall be sufficient to make due provision for courses of study, teaching or training or research, efficiently;

(vii) that the services of all teaching and non-teaching employees and the facilities of the college to be affiliated shall be made available for conducting examinations and for promoting other activities of the University;

(viii) that the directions and orders issued by the Chancellor, Vice-Chancellor and other officers of the University in exercise of the powers conferred on them under the provisions of this Act, Statutes, Ordinances and Regulations or any other Acts passed by the State Legislature in this regard, shall be complied with;

(ix) that, there shall be no transfer of the management or ownership of the college without previous sanction of the University;

(x) that the college or institution shall not be closed without previous sanction of the University;

(xi) that in the event of disaffiliation or de-recognition or closure of the college or institution, all the assets of the college or institution including building and equipment which have been constructed or created out of the amount paid as a grant-in-aid by the Government or the University Grants Commission shall vest in the Government.

60. *Procedure for permission.*—(1)The University shall prepare a perspective plan for educational development for the location of institutions of higher learning in a manner ensuring equitable distribution of facilities for higher education in Engineering having due regard, in particular, to the needs of unserved and under developed areas within the jurisdiction of the University.

Such plan shall be prepared by the Academic Committee and got approved by the Executive Committee and shall be placed before the Board of Governors. It shall be updated every five years.

(2) No application for opening a new college or institution of higher learning which is not in conformity with such plan, shall be considered by the University.

(3) No student shall be admitted by the college or institution unless the first time affiliation has been granted by the University to the college or institution.

(4) The rules and procedure for affiliation of a college to the University shall be as prescribed by the Statutes.

61. *Governing Body of affiliated college.*—(1) There shall be a separate Governing Body for every affiliated college or institution, consisting of the members as may be prescribed by the Statutes. There shall be a Managing Council for a group of affiliated colleges under a corporate management, consisting of members as may be prescribed by the Statutes.

(2) The powers and duties of the Governing Body or Managing Council shall be as provided in this Act or as may be prescribed by the Statutes.

62. *Continuation of affiliation.*—(1) The affiliated college or recognised institution may apply for continuation of affiliation or recognition for the courses of study for which affiliation or recognition was granted ordinarily six months prior to the date of expiry of such affiliation or recognition. The University shall follow the procedure prescribed in Statutes, so far as applicable, for grant of continuation of affiliation.

(2) The affiliated college or recognised institution may apply for affiliation or recognition for additional courses of study and the same shall be considered by the University following the procedures or rules prescribed in this regard in the Statutes.

(3) An affiliated college with at least six years standing as an affiliated college may apply for permanent affiliation in the manner as may be prescribed in the Statutes and the University shall consider such applications in such manner as may be prescribed.

63. *Granting of academic autonomy.*—A University department or institution affiliated as Regular college may apply to the University for grant of Academic Autonomy. The institution or college with Academic Autonomy may

constitute its authorities or bodies and exercise the powers and perform the functions and carry-out the academic activities of the institution independently. The department or institution or college with Academic Autonomy may prescribe its own courses of study, evolve its own teaching methods and hold examinations and tests for students receiving instruction in it with the objectives of promoting academic freedom on the part of teachers and students which are essential to the fostering and development of an intellectual climate conducive to the pursuit of scholarship and excellence. The degrees and distinctions to students of such institutions will be awarded by the University.

64. *Withdrawal of affiliation.*—(1) If an affiliated college or recognised institution fails to comply with the conditions of affiliation or recognition as provided in this Act or Statutes or fails to comply with the directions of the University or State Government or does not allow the local governing body or managing councils as provided in this Act or Statutes to function properly, or if it is conducting the college or recognised institution in a manner prejudicial to the interest of the University or the standards laid down by the Ordinance or Statutes, the University can take action against such institutions under this Act including withdrawal of the affiliation granted to the college or institution, after giving notice to the Principal of the College or institution and the educational agencies running the college or institution, regarding the reasons for such withdrawal of affiliation and considering the reply given by the Principal of the college or educational agency.

(2) The rules and procedure for withdrawal of affiliation shall be such as may be prescribed by Statutes.

65. *Closure of colleges etc.*—(1) No management of an affiliated college or recognised institution shall be allowed to close down the college or recognised institution without prior permission of the University and State Government.

(2) The procedure to close down an affiliated college shall be such as may be prescribed by the Statutes.

#### CHAPTER IX

#### ENROLMENT, DEGREES AND CONVOCATIONS

66. *Teaching, training and research.*—All graduate or postgraduate instruction, teaching, training and research shall normally be conducted within the University, affiliated colleges and the recognised institutions in the manner as may be prescribed by the Statutes.



67. *Enrolment of students.*—A person to be enrolled as a student of the University shall possess such qualifications and fulfill such conditions as may be prescribed by the Statutes.

68. *Disciplinary powers and discipline among students.*—(1) All powers relating to discipline and disciplinary action in relation to the students of the University departments and institutions and colleges, maintained by the University, shall vest in the Vice-Chancellor.

(2) The Vice-Chancellor may, by order, delegate all or any of his powers under this Act as he deems fit, to such other officers or body as he may nominate or create in that behalf.

## CHAPTER X

### TRANSITIONAL PROVISIONS

69. *Nominations of first Authorities.*—Notwithstanding anything contained in this Act all the first authorities of the University shall be nominated by the Chancellor as soon as may be after the date of commencement of this Act and may be continued for a period of one year from the date of such nomination or till the constitution of the said Authorities in accordance with the provisions of this Act, whichever is earlier.

70. *First Statutes and Ordinances.*—Notwithstanding anything contained in this Act, the first Statutes and the first Ordinances of the University shall be made by the Government.

71. *Matters relating to students pursuing studies in existing colleges.*—(1) Notwithstanding anything contained in this Act, or the Acts of the other Universities in the State, any student, who immediately before the date of affiliation of a particular institution to this University after going through the process of affiliation as specified in section 59 was studying in that institution for any degree, diploma or certificate of the concerned University shall be entitled to appear for the examination of the University concerned and if, he qualifies such examination be entitled to be conferred with the corresponding degree, diploma or certificate, as the case may be, of the University established under this Act.

(2) Notwithstanding anything contained in this Act or the Statutes, Ordinances or Regulations made thereunder, any student of any college affiliated to the University who is undergoing study in any of the Universities in the State

shall be permitted to complete his course and preparation therefore, and the University established under this Act shall make arrangements for holding examination for such students, examinations in accordance with the curricula of studies of the concerned Universities as the case may be, until he completes the said course of studies.

72. *Dissolution of the Centre for Engineering Research and Development.*—Notwithstanding anything contained in any other law for the time being in force, the Centre for Engineering Research and Development, a Society registered (Registration Number T.1872/09 dated 16-12-2009) under the Travancore-Cochin Literary, Scientific and Charitable Societies Registration Act, 1955 is hereby dissolved and all its assets and liabilities shall be transferred to the University and shall continue to function as Centre for Engineering Research and Development.

73. *Transitional provisions.*—(1) It shall be the duty of the first Vice-Chancellor appointed under this Act to make arrangements for constituting the Board of Governors and other authorities of the University within six months from the date of commencement of this Act or such longer period not exceeding one year as the Government may, by notification direct.

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

(3) Notwithstanding anything contained in this Act and the Statutes, Ordinances or Regulations made thereunder, any student who immediately prior to the date of commencement of this Act studying for a degree in Engineering in any of the Universities specified in the Schedule to this Act be conferred degrees in Engineering of the respective Universities if he qualifies in such examination.

74. *Repeal and saving.*—(1) The Kerala Technological University Ordinance, 2015 (4 of 2015) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under this Act.

## SCHEDULE

[See sections 7(3) and 73(3)]

<i>Sl.No.</i>	<i>Name and headquarters of Universities</i>
(1)	(2)
1	The University of Kerala, Thiruvananthapuram
2	The University of Calicut, Kozhikode
3	The Mahatma Gandhi University, Kottayam
4	The Cochin University of Science and Technology, Kochi
5	The Sree Sankaracharya University of Sanskrit, Kalady
6	The Kannur University, Kannur.

## STATEMENT OF OBJECTS AND REASONS

The Government considers that the establishment of a Technological University is inevitable for the improvement of the basic infrastructural and academic standards of technical education in the State.

2. To get the financial assistance from the central scheme, namely, the Technical Education Quality Improvement Programme (TEQIP) assisted by the World Bank for providing financial assistance to the Government/Aided/Government controlled Engineering Colleges for the improvement of infrastructural and academic quality in Technical Education Institutions, each Engineering College shall be autonomous in nature. If all the Engineering Colleges in the State are brought under an independent University, the State can achieve academic excellence in technical education and research. Apart from this, financial assistance available from National as well as International agencies can also be utilised. Therefore, the Government have decided to establish a Technical University in the State to achieve the objects such as to give leadership to the technology related policy formulation and engineering planning for the State, to improve the academic standards of the graduate, postgraduate and research programmes in engineering sciences, technology and management, to monitor the academic standards of all institutions not affiliated to the University, but conducting engineering courses in the State, to foster and promote engineering research and to act as the nodal agency for linkages in the field of engineering sciences, technology and management with other national and international institutions.

3. As the Legislative Assembly of the State of Kerala was not in session and the above proposals had to be given effect to immediately, the Kerala Technological University Ordinance, 2014 was promulgated by the Governor on the 5th day of May, 2014 and the same was published in the Kerala Gazette Extraordinary No. 1168 dated the 5th May, 2014 as Ordinance No. 11 of 2014.

4. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 9th day of June, 2014 and ended on the 17th day of July, 2014.

5. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session, the Kerala Technological University Ordinance, 2014 was promulgated by the Governor of Kerala on the 20th day of July, 2014 and the same was published as Ordinance No. 17 of 2014 in the Kerala Gazette Extraordinary No. 1863 dated the 20th day of July, 2014.

6. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 1st day of December, 2014 and ended on the 18th day of December, 2014.

7. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session, the Kerala Technological University Ordinance, 2015 was promulgated by the Governor on the 9th day of January, 2015 and the same was published as Ordinance No. 2 of 2015 in the Kerala Gazette Extraordinary No. 70 dated 9th day of January, 2015.

8. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 6th day of March, 2015 and ended on the 23rd day of March, 2015.

9. As the provisions of the said Ordinance have to be kept alive and the Legislative Assembly of the State of Kerala was not in session, the Kerala Technological University Ordinance, 2015 was promulgated by the Governor on the 10th day of April, 2015 and the same was published as Ordinance No. 4 of 2015 in the Kerala Gazette Extraordinary No. 815 dated 10th day of April, 2015.

10. The Bill seeks to replace Ordinance No. 4 of 2015 by an Act of the State Legislature.

## FINANCIAL MEMORANDUM

Clause 49 of the Bill provides to constitute a consolidated fund by name "The Kerala Technological University Fund". This Fund is one consisted with all grants and loans received from the State Government, the Government of India, the AICTE and the University Grants Commission and from any other source, all revenues of the University, all fees received, all income such as rent and profits derived from properties and funds vested in the University, all donations and endowments and all other miscellaneous receipts of the University from other items and deposits, remittances and service of funds, received in connection with the affairs of the University. Sub-clause (1) of clause 49 of the Bill provides that the said Fund shall be utilised for the purpose and in the manner laid down in the Kerala Technological University Act, Statutes, Ordinances, Regulations and Orders. Sub-clause (5) of clause 49 of the Bill provides that the Kerala Technological University Fund shall be utilised for meeting the expenses incurred to the University in the exercise of its powers and discharge of its duties as provided in this Bill.

2. The activities of the University, including research activities, would involve expenditure from the Consolidated Fund of the State. An estimated annual recurring expenditure of Rs. 5,44,60,000 and non recurring expenditure of Rs. 10,00,00,000 is expected from the Consolidated Fund of the State for the research activities and other activities of the University.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (3) of clause 7 seeks to empower the Government or the University to prescribe the terms and conditions for appointing the non-teaching staff of other Universities if they had given option for appointment in this University.

2. Sub-clause (4) of clause 7 seeks to empower the Government or the University, as the case may be, to prescribe the manner in which appointment can be given to the teaching-non-teaching staff to the similar posts in the University on deputation basis.

3. Item (b) of sub-clause (vii) of clause 8 seeks to empower the Government or the University to prescribe conditions for carrying on research satisfactorily.

4. Sub-clause (viii) of clause 8 seeks to empower the University to prescribe the conditions for conferring honorary degrees and other distinctions.

5. Sub-clause (ix) of clause 8 seeks to empower the Government or the University to prescribe by statutes, the conditions to withhold or withdraw or cancel degree, diploma, certificates or other distinctions.

6. Sub-clause (xii) of clause 8 seeks to empower the Government or the University to prescribe the qualifications and methods of appointment and the scale of pay of various categories of posts created by the University and the Centres and Colleges maintained by the University to which appointments are not to be made through the Kerala Public Service Commission.

7. Sub-clause (xxvi) of clause 8 seeks to empower the Government or the University to make or to amend, modify or repeal the Statutes, Ordinances and Regulations.

8. Sub-clause (10) of clause 14 seeks to empower the Government or the University to prescribe by Statutes, the remuneration payable to and other conditions of service of the Vice-Chancellor.

9. Sub-clause (7) of clause 15 of the Bill seeks to empower the University to prescribe by statutes, the manner for constituting the Selection Committee to recommend the appointment of the teachers.

10. Sub-clause (1) of clause 17 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the manner of constituting Selection Committee to recommend the appointment of the Registrar.

11. Sub-clause (10) of clause 17 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the performance of other duties and the exercise of other powers by the Registrar.

12. Sub-clause (1) of clause 18 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the period and the terms of appointment of the Finance Officer.

13. Sub-clause (2) of clause 18 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the powers, duties and functions of the Finance Officer.

14. Sub-clause (1) of clause 19 of the Bill seeks to empower the Government or the University, to prescribe by Statutes, to constitute Selection Committee to recommend the appointment of the Controller of Examination.

15. Sub-clause (2) of clause 19 of the Bill seeks to empower the Government or the University to prescribe by Statutes the qualification and experience of the Controller of Examination.

16. Sub-clause (1) of clause 20 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the terms and conditions of service and the distribution of work of the Dean (Academic) and the Dean (Research).

17. Sub-clause (5) of clause 25 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the allowance of the members of the Board of Governors.

18. Item (x) of sub-clause (2) of clause 26 of the Bill seeks to empower the Government or the University to prescribe by Statutes, the manner in which the honorary degree and other distinction are conferred.

19. Item (xvii) of sub-clause (2) of clause 26 of the Bill seeks to empower the Government or the University to prescribe the powers and duties of the officers of the University other than the Vice-Chancellor in addition to the powers conferred by the Act.

20. Item (xvii) of sub-clause (2) of clause 31 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes, the power to be exercised and the functions to be performed by the Executive Committee.

21. Item (iv) of clause 35 of the Bill seeks to empower the Executive Committee to prescribe the courses of studies in the Colleges, institutions maintained by or affiliated to the University.

22. Item (v) of clause 35 of the Bill seeks to empower the Academic Committee of the University to prescribe the qualifications for admission and examinations of various branches of studies.

23. Sub-clause (1) of clause 43 of the Bill seeks to empower the Government to make the first statutes of the University.

24. Sub-clause (2) of clause 43 of the Bill seeks to empower the Board of Governors to amend the first Statutes and to make new or additional Statutes.

25. Clause 44 of the Bill seeks to empower the Executive Committee of the University to make Ordinance subject to the prescribed conditions.

26. Sub-clause (1) of clause 46 of the Bill seeks to empower the Academic Committee of the University to make regulations subject to the provisions of the Act, the Statutes and the Ordinances.

27. Sub-clause (2) of clause 54 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the

procedure to recover such damage or loss from the authority or body or the concerned members or from the officer concerned if it is found that a damage or loss has been caused to the University by any action on the part of any authority or body or office of the University.

28. Sub-clause (1) of clause 59 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe the criteria under the Statutes and the Ordinances in order to affiliate Engineering Colleges which, before the date of commencement of the Act remained affiliated to the different Universities.

29. Item (vi) of sub-clause (2) of clause 59 of the Bill seeks to empower the University to prescribe the strength and qualifications of teaching and non-teaching staff of the affiliated colleges and the emoluments and the terms and conditions of service of the staff of affiliated colleges.

30. Sub-clause (4) of clause 60 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes, the rules and procedure for affiliation of a College to the University.

31. Sub-clause (1) of clause 61 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the members to be present in the Governing body which shall be constituted for every affiliated College or institution and the members to be included in the Managing Council.

32. Sub-clause (2) of Clause 61 of the Bill seeks to empower the Government to prescribe by Statutes, the powers and duties of the Governing Body or Managing Council.

33. Sub-clause (3) of clause 62 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the manner in which an affiliated College with at least six years standing as an affiliated College may apply for permanent affiliation and the manner in which such application has to be considered by the University.

34. Sub-clause (2) of clause 64 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the rules and procedure for withdrawal of affiliation.

35. Sub-clause (2) of clause 65 of the Bill seeks to empower the Government or the University, to prescribe by Statutes, the procedure to close down an affiliated Colleges.



36. Clause 66 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the manner in which all graduate or postgraduate instruction, teaching, training and research has to be conducted.

37. Clause 67 of the Bill seeks to empower the Government or the University, as the case may be, to prescribe by Statutes the possession of such qualifications and the fulfillment of such conditions for any person to be enrolled as a student.

38. Clause 70 of the Bill seeks to empower the Government to make the first Statutes and the first Ordinances of the University.

39. The matters in respect of which the Statutes, Ordinances or Regulations may be made, or Orders may be issued, are of routine and administrative in character. The delegation of legislative power is, therefore, of a normal character.

P. K. ABDU RABB

## NOTES ON CLAUSES

*Clause 2.*—This clause intends to define certain words and phrases used in the Bill.

*Clause 3.*—This clause intends to provide for the establishment and incorporation of a University by name "The Kerala Technological University".

*Clause 4.*—This clause intends to specify the territorial limits of the University.

*Clause 5.*—This clause intends to explain the objects of the University.

*Clause 6.*—This clause intends to provide for the admission to the University.

*Clause 7.*—This clause intends to provide for the reservation and appointment of teaching and non-teaching staff of the University.

*Clause 8.*—This clause intends to provide for the powers and functions of the University.

*Clause 9.*—This clause intends to provide for the control of Government over the University.

*Clause 10.*—This clause intends to provide that the Governor of Kerala shall be the Chancellor of the University.

*Clause 11.*—This clause intends to provide that the Minister-in-charge of Education shall be the Pro-Chancellor of the University.

*Clause 12.*—This clause intends to provide for the matters such as terms of office, appointment of Chairman etc.

*Clause 13.*—This clause intends to specify various officers of the University.

*Clause 14.*—This clause intends to provide for the matters such as term of office, appointment of Vice Chancellor etc.

*Clause 15.*—This clause intends to provide for the powers of the Vice-Chancellor.

*Clause 16.*—This clause intends to provide for the appointment, powers and duties of the Pro-Vice-Chancellor.

*Clause 17.*—This clause intends to provide for the appointment, powers and functions of the Registrar.

*Clause 18.*—This clause intends to provide for the appointment of the Finance Officer.

*Clause 19.*—This clause intends to provide for the appointment, powers and functions of the Controller of Examination.

*Clause 20.*—This clause intends to provide for the appointment, powers and functions of the Dean (Academic) and Dean (Research).

*Clause 21.*—This clause intends to provide that all officers of the University shall be public servants.

*Clause 22.*—This clause intends to provide that appointment of the Vice-Chancellor and others are to be notified.

*Clause 23.*—This clause intends to specify the authorities of the University.

*Clause 24.*—This clause intends to provide for the constitution of the Board of Governors and to specify its members.

*Clause 25.*—This clause intends to provide for the reconstitution of the Board of Governors.

*Clause 26.*—This clause intends to provide for the powers, functions and duties of the Board of Governors.

*Clause 27.*—This clause intends to provide for the meetings of the Board of Governors.

*Clause 28.*—This clause intends to provide for the constitution of the Executive Committee and to specify its members.

*Clause 29.*—This clause intends to provide for the meetings of the Executive Committee.

*Clause 30.*—This clause intends to provide for the term of office of the members of the Executive Committee.

*Clause 31.*—This clause intends to provide for the powers, functions and duties of the Executive Committee.

*Clause 32.*—This clause intends to provide for the constitution of the Academic Committee and to specify its members.

*Clause 33.*—This clause intends to provide for the meetings of the Academic Committee.

*Clause 34.*—This clause intends to provide for the term of office of members of the Academic Committee.

*Clause 35.*—This clause intends to provide for the powers, functions and duties of the Academic Committee.

*Clause 36.*—This clause intends to provide for the constitution of the Research Council and to specify its members.

*Clause 37.*—This clause intends to provide for the powers, duties and functions of the Governing Council.

*Clause 38.*—This clause intends to provide for the constitution of other committees such as Planning Committee, Board of Examinations, Board of Studies etc.

*Clause 39.*—This clause intends to provide for the provisions relating to membership in the Authorities.

*Clause 40.*—This clause intends to provide for the savings of validity.

*Clause 41.*—This clause intends to provide for the prohibition in respect of officers and employees from accepting remuneration.

*Clause 42.*—This clause intends to provide for the making of Statutes.

*Clause 43.*—This clause intends to provide for the procedure for making Statutes.

*Clause 44.*—This clause intends to provide for making Ordinances.

*Clause 45.*—This clause intends to provide for the procedure for making Ordinances.

*Clause 46.*—This clause intends to provide for making regulations.

*Clause 47.*—This clause intends to provide for the power for issuing orders by the authority or body.

*Clause 48.*—This clause intends to provide for the publication in the Gazette of Statutes and Orders made by the University.

*Clause 49.*—This clause intends to provide for the constitution of the University Fund.

*Clause 50.*—This clause intends to provide for preparation of the annual budget of the University.

*Clause 51.*—This clause intends to provide for the internal audit of the accounts of the University.

*Clause 52.*—This clause intends to provide for the auditing of the accounts of the University.

*Clause 53.*—This clause intends to provide for the preparation of Annual report of the University.

*Clause 54.*—This clause intends to provide for the duties of the authorities of the University.

*Clause 55.*—This clause intends to provide that the Chancellor shall decide disputes which may arise in respect of the interpretation of Statutes or regarding the eligibility of the members of the University.

*Clause 56.*—This clause intends to provide for giving protection of acts done by University or its officers in good faith.

*Clause 57.*—This clause intends to provide for delegating the power except the power to make Statutes to any authority or officer of the University.

*Clause 58.*—This clause intends to provide that the proceedings of the University shall not be invalidated on the ground that its members are not duly appointed or that there is irregularity in the procedure.

*Clause 59.*—This clause intends to provide for the affiliation and recognition of the Engineering Colleges or technical education institutions of the University.

*Clause 60.*—This clause intends to provide for the procedure for permission to open new Colleges or institutions.

*Clause 61.*—This clause intends to provide for the constitution of the Governing Body of affiliated College.

*Clause 62.*—This clause intends to provide for the continuing procedure after the affiliation.

*Clause 63.*—This clause intends to provide for granting of academic autonomy.

*Clause 64.*—This clause intends to provide for the withdrawal of affiliations of institutions or Colleges.

*Clause 65.*—This clause intends to provide for the closure of Colleges etc.

*Clause 66.*—This clause intends to provide for the conduction of teaching, training, research etc.

*Clause 67.*—This clause intends to provide for the enrolment of students in the University.

*Clause 68.*—This clause intends to provide for the disciplinary powers and discipline among students.

*Clause 69.*—This clause intends to provide for the nomination of all the first authorities of the University.

*Clause 70.*—This clause intends to provide for the making of first Statutes and Ordinances of the University.

*Clause 71.*—This clause intends to provide for matters of students pursuing studies in existing Colleges.

*Clause 72.*—This clause intends to provide for the dissolution of the Centre for Engineering Research and Development.

*Clause 73.*—This clause incorporates for the transitional provisions.

*Clause 74.*—This clause intends to provide for repealing the Kerala Technological University Ordinance, 2015 (4 of 2015) and for saving things done or actions taken under that.

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