



**COCHIN UNIVERSITY OF
SCIENCE AND TECHNOLOGY**

**COCHIN UNIVERSITY OF
SCIENCE AND TECHNOLOGY ACT, 1986
(31 OF 1986)**

**THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY
ACT, 1986**

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ACT 31 OF 1986
THE COCHIN UNIVERSITY OF SCIENCE AND
TECHNOLOGY ACT, 1986

(Received the assent of the Governor on the 30th day of November, 1986 and published as Act 31 of 1986 in the Kerala Gazette Extraordinary No. 1080 dated the 30th November, 1986).

An Act to provide for the reorganisation of the University of Cochin.

Preamble.-WHEREAS it is expedient to provide for the reorganisation of the University of Cochin and convert it into a full fledged University of Science and Technology for the promotion of graduate and post-graduate studies and advanced research in applied science, technology, industry, commerce, management and social science;

BE it enacted in the Thirty-seventh Year of the Republic of India as follows:-

Chapter I

PRELIMINARY

1. Short title and commencement :-(1) This Act may be called the Cochin University of Science and Technology Act, 1986.

2. Sections 19,20,21,22,29, and 54 of this Act shall come into force at once and the remaining provisions shall be deemed to have come into force on the 25th day of February, 1986.

(2) Objects :- The University shall have the following objects, namely:-

(i) to prosecute and promote research in applied science, technology, industry, commerce, management and social science for the advancement of knowledge and for the betterment of society ;

(ii) to provide facilities and offer opportunities for graduate and post-graduate education in applied science, technology, industry, commerce, management and social science by instruction, training, resesarch, development and extension and by such other means as the University may deem fit;

(iii) to devise and implement programmes of education in applied science, technology, industry, commerce, management and social science that are relevant to the changing needs of society, in terms of breadth of diversity and depth of specialization;

(iv) to serve as a centre for fostering co-operation and exchange of ideas between the academic and research community on the one hand and industry on the other;

(v) to organise exchange programmes with other institutions of repute in India and abroad with a view to keeping abreast of the latest developments in relevant areas of teaching and research.

3. Definition.- In this Act, unless the context otherwise requires:-

(1) "Academic Council" means the Academic Council of the Univeristy;

(2) "Appellate Tribunal" means the Appellate Tribunal of the University constituted under sub-section (1) of section 30;

(3) "Board of Studies" means a Board of Studies of the University;

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

(5) "department" means a department of the University designated as such by the Syndicate with reference to a subject or group of subjects;

(6)"employee" means every person in the whole-time employment of the University in any service;

(7) "faculty" means a faculty of the University;

(8) "Finance Committee" means the Finance Committee of the University referred to in section 28

(9) "Fund" means the fund of the University established under section 32

(10) "hostel" means a unit of residence for the students of the University;

(11) "Planning Committee" means the planning committee referred to in section 27

(12) "Prescribed" means prescribed by this Act or the statutes, Ordinances, Regulations or Rules made thereunder;

(13) "Pro-Chancellor" means the Pro-Chancellor of the University

(14) "Pro-Vice-Chancellor" means the Pro-Vice-Chancellor of the University

(15) "Recognised Institution" means an institution for research and/or special studies, recognised as such by the Syndicate in accordance with the provisions of Act, and the Statutes and Ordinances;

(16) "School" means a School of the University designated as such by the Syndicate comprising a department or departments;

(17) "Senate" means the Senate of the University;

(18) "State" means the State of Kerala;

(19) "Statutes" "Ordinances" "Regulations" and "Rules" means respectively the "Statutes," "Ordinances," "Regulations" and "Rules" of the University;

(20) "Student" means a person duly admitted as a fulltime or part-time student in any of the institutions of the University or Recognized Institutions in accordance with the Regulations to undergo a course of study, research, leading to a degree, diploma, or certificate of the University;

- (21) "Syndicate" means the Syndicate of the University;
- (22) "teacher" means a professor, Reader, Lecturer or such other person imparting instruction or supervising research in the departments/schools of the University, or in recognised institutions whose appointment has been approved by the University;
- (23) "Teacher of the University" means a person employed as a teacher in any department or school of the University;
- (24) "University" means the Cochin University of Science and Technology;
- (25) "University Grants Commission" means the University Grants Commission established under the University Grants Commission Act, 1956 (Central Act 3 of 1956);
- (26) "Vice-Chancellor" means the Vice-Chancellor of the University

Chapter II

THE UNIVERSITY

4. *The University.*-(1) *The Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor and the members of the Syndicate, the Senate and the Academic Council for the time being, shall constitute a body corporate by the name of the Cochin University of Science and Technology.*

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

5. *Territorial limits;*- Notwithstanding anything contained in any other law for the time being in force, on the coming into force of this Act, the territorial jurisdiction of the University shall extend to the whole of the State of Kerala.

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

(i) to establish and maintain institutions for higher technological studies and research in science, technology and management in any part of the State;

(ii) to accord recognition to any science and technology institution which is neither a part of, nor affiliated to, a University or deemed University, as a Recognized Institution;

(iii) to provide for instruction and training in such branches of learning as are in keeping with the objects of the University and to make Provision for Research and for the advancement and dissemination of knowledge;

(iv) to institute degrees, titles, diplomas and other academic distinctions;

(v) to hold examinations and to confer degrees and other academic distinctions on person who-

(a) shall have pursued a prescribed course of study in an institution /Recognised Institution under the University, and shall have passed the prescribed examination; or

(b) shall have under prescribed conditions carried on research which has been duly evaluated;

(vi) to confer honorary degrees or other distinctions on distinguished persons in accordance with the conditions to be prescribed in the Statutes;

(vii) to withdraw or cancel degree, titles, diplomas, certificates or other distinctions under conditions that may be prescribed the Statutes, after giving the person affected a reasonable opportunity to present his case;

(viii) to make arrangements for promoting the health, general welfare and moral well-being of students and take such measures as would foster in them habits of hard work, self-discipline and spirit of service to society;

(ix) to fix the fees payable to the University and to demand and receive such fees;

(x) to hold and manage endowments and bursaries and to institute and award fellowships, scholarships studentships, medals and prizes;

(xi) to institute and provide funds wherever necessary for the maintenance of-

- (a) a Students Advisory Bureau;**
- (b) an Employment Bureau;**
- (c) University Union for Students;**
- (d) University Athletic Club;**
- (e) the National Cadet Corps;**
- (f) the National Service Corps;**
- (g) University Extension Board;**
- (h) Students Cultural and Debating Societies;**
- (i) a Translation and publication Bureau;**
- (j) Co-operative Societies and other institutions for promoting the welfare of students and employees of the University;**
- (k) a University Library;**
- (l) a Staff Council;**
- (m) such other bodies as the Syndicate may deem necessary.**

(xii) to co-operate with other Universities or authorities or associations in such manner and for such purposes as the Syndicate may determine;

(xiii) to take and hold any property, movable or immovable, which may become vested in it for the purpose of the University by purchase, grant, testamentary 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;

(xiv) to direct, manage and control all immovable and movable properties transferred to the University by the Government;

(xv) to establish, maintain and manage hostels ;

(xv) to co-ordinate, supervise regulate and control the conduct of teaching and research work in the Recognised Institutions to the extent deemed necessary;

(xvi) to define the powers and duties of the officers and other employees of the University other than those prescribed in this Act;

(xviii) to provide for the inspection of Recognised Institution and lay down standards of instruction and research;

(xix) to institute professorships, readerships, lecturerships and any other teaching and research posts required by the University and to appoint persons to such professorships, readerships, lecturerships and other teaching and research posts; and

(xx) generally to do all such other acts and things, whether incidental to the powers aforesaid or not as may be required in order to further the objects of the University.

7. *University open to all classes and creeds.*-(1) No person shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence, language, political opinion or any of them, be ineligible for, or discriminated against, in respect of any employment or office under the University or membership

of any of the authorities or bodies of the University or admission to any course of study or research in the University.

Provided that the University may, in consultation with the Government, reserve seats for the members of socially and educationally backward classes or Scheduled Castes or Scheduled Tribes for the purpose of admission as students in any of the institutions of the University or Recognised Institutions.

(2) In making appointments for all posts as determined by the Syndicate in any service, class or category under the University, 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 17 A of the Kerala State and Subordinate Service Rules, 1958, as amended from time to time.

Chapter III

THE CHANCELLOR, PRO-CHANCELLOR AND OFFICERS OF THE UNIVERSITY

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

(2) The Chancellor shall be the Head of the University and shall, when present, preside at the meeting of any convocation of the University.

(3) All the authorities of the University shall be subordinate to the Chancellor.

(4) The Chancellor may, by order in writing, annul any proceedings of any of the authorities of the University which is not in conformity with this Act and the Statutes, the Ordinances, the Regulations, the Rules or any other law for the time being in force.

Provided that, before making any such order, the Chancellor shall call upon such authority to show cause why such an order should not be made and consider the cause, if any, shown by such authority within a reasonable time.

(5) The chancellor shall have the right to suspend or dismiss any of the authorities of the University and to take measures for the interim administration of the University.

Provided that before taking any such action, the Chancellor shall give an opportunity to such authority to show cause why such an action should not be taken.

(6) Every proposal for the conferment of an honorary degree shall be subject to confirmation by the Chancellor.

(7) An appeal shall lie to the Chancellor against any order of dismissal passed by the Syndicate or the Vice-Chancellor against any person in the service of the University.

(8) An appeal under sub-section (7) shall be filed within sixty days from date of service of the order of dismissal on the person concerned.

(9) The Chancellor shall, before passing any order on an appeal under sub-section (7), refer the matter for advice to a Tribunal appointed by him for the purpose.

(10) The Chancellor shall have power to remove the Vice-Chancellor or the Pro-Vice-Chancellor from office by an order in writing on charges of mismanagement of funds or misconduct or for any other good and sufficient reasons.

Provided that in the case of the Vice-Chancellor, such charges are proved by an enquiry conducted by a person who is a judge of the High Court or the Supreme Court or where the services of such a judge is not available, by a person who has been a judge of the High Court or the Supreme Court,

appointed by the Chancellor for the purpose; and in the case of the Pro-Vice-Chancellor, such charges are proved by an enquiry conducted by an Officer not below the rank of a Secretary to Government, appointed by the Chancellor, for the purpose;

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

9. *The Pro-Chancellor.*-(1) The Minister for the time being administering the subject of higher education in the State Shall be the Pro-Chancellor of the University.

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

10. *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; and
- (v) such other Officers in the service of the University as may be declared by the Statutes to be Officers of the University.

11. *The Vice-Chancellor.*- (1) The Vice-Chancellor shall be appointed by the Chancellor on the unanimous recommendation of a Committee appointed by him consisting of three members, one nominated by University Grants Commission, one elected by the Syndicate and the third nominated by the Government. The Committee shall make its recommendation within a period of three months from the date of its appointment.

(2) In case the committee appointed under sub-section (1) is unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from the panel of three names submitted to him by the committee within the period specified in the preceding sub-section.

(3) If the committee fails to make a unanimous recommendation or submit a panel of names as aforesaid, another committee consisting of three new members, one nominated by the University Grants Commission, one elected by the Syndicate and the third nominated by the Government shall, make a unanimous recommendation or submit a panel of three names to the Chancellor, within three months of its constitution, and the Chancellor shall appoint a Vice-Chancellor accordingly.

Provided that it shall be open to the Chancellor for reasons to be stated in writing, to appoint, by nomination, an appropriate person as Vice-Chancellor for such time as he may consider expedient.

(4) No person who has completed sixty years of age shall be eligible for appointment as Vice-Chancellor.

(5) The Vice Chancellor shall hold office for a term of four years from the date on which he enters upon his office and shall not be eligible for reappointment.

(6) The remuneration payable to, and the other conditions of service of the Vice-Chancellor shall be determined by the Chancellor.

(7) The Vice-Chancellor shall be the principal academic and executive officer of the University.

(8) The Vice-Chancellor shall be the Chairman of the Syndicate, the Senate and the Academic Council, and shall be entitled to be present at and to address any meeting of any authority of the University, but shall not be entitled to vote thereat unless he is a member of the authority concerned.

(9) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act, and the Statutes, Ordinances and Regulations are observed and he shall have all the powers necessary for this purpose.

(10) The Vice-Chancellor shall have the right of visiting and inspecting institutions maintained or recognised by the University.

(11) If at any time, except when the Syndicate or the Academic Council is in session, the Vice-Chancellor is satisfied that an emergency has arisen requiring him to take immediate action involving the exercise of any power vested in the Syndicate or the Academic Council, the Vice-Chancellor may take such action as he deems fit, and shall, as soon as may be, report the action taken by him to the Syndicate or the Academic Council, as the case may be, for approval.

(12) Subject to the provisions of this Act, the Statutes and the Ordinances, the Vice-Chancellor shall have the power

- (a) to make appointments to posts below the rank of Assistant Registrar, and prescribe their duties;
- (b) to suspend, dismiss or otherwise punish any employee of the University below the rank of Assistant Registrar;
- (c) to take disciplinary action against students of the University.

Provided that he may delegate any of his powers under this sub-section to the Pro-Vice-Chancellor or the Registrar.

(13) The Vice-Chancellor shall have the power to convene meetings of the Syndicate, the Senate and the Academic Council, or any other authority of the University.

(14) It shall be the duty of the Vice-Chancellor to ensure that the proceedings of the University are carried on in accordance with the provisions of this Act, the Statutes, the Ordinances, the Regulations and the Rules made thereunder

and to report to the Chancellor every proceedings which is not in conformity with such provisions.

(15) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes.

(16) In the event of a temporary vacancy occurring in the office of the Vice-Chancellor, the Pro-Vice-Chancellor shall perform the duties of the Vice-Chancellor.

(17) In the event of a permanent vacancy occurring in the office of the Vice-Chancellor, the Chancellor shall make necessary arrangements for exercising the powers and performing the duties of the Vice-Chancellor until a Vice-Chancellor who is appointed under the provisions of this Act, assumes office.

12. The *pro-Vice-Chancellor-(1)* The Chancellor shall appoint a Pro-Vice-Chancellor for the University:

Provided that the person thus appointed shall not be above the age of sixty.

(2) The term of appointment of the Pro-Vice-Chancellor shall be four years from the date on which he enters upon his office and shall be a whole time officer of the University.

(3) The salary and other conditions of service of the Pro-Vice-Chancellor shall be as prescribed by the Statutes.

(4) Subject to the provisions of this Act and the Statutes, Ordinances and Regulations the powers and functions of the Pro-Vice-Chancellor shall be determined by the Vice-Chancellor.

13. *The Registrar-(1)* The Syndicate shall appoint a person selected by the Government from among a panel containing the names of two persons furnished by the Syndicate to the Government, as Registrar of the University for such period and on such terms as may be prescribed by the Statutes.

(2) The Registrar shall be a whole time salaried officer of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

(3) Suits by or against the University shall be instituted by or against the Registrar.

14. *The Finance Officer.*- (1) The Syndicate shall appoint a person selected by the Government from among a panel containing the names of two persons furnished by the Syndicate to the Government, as Finance Officer of the University for such period and on such terms as may be prescribed by the Statutes.

(2) The Finance officer shall be a whole time salaried officer of the University and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

15. *Appointments to be notified.*- The appointments of the Vice-Chancellor, the Pro-Vice Chancellor, the Registrar and the Finance Officer shall be notified in the Gazette.

Chapter IV

AUTHORITIES OF THE UNIVERSITY, STAFF COUNCIL AND UNIVERSITY APPELLATE TRIBUNAL

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

- (i) the Syndicate,
- (ii) the Senate,
- (iii) the Academic Council,
- (iv) the Faculties,
- (v) the Boards of Studies,
- (vi) the Planning Committee,
- (vii) the Finance Committee,
- (viii) such other boards or bodies of the University as may be declared by the Statutes to be authorities of the University.

17. The Syndicate.- (1) The Syndicate shall be the chief executive body of the University and shall consist of the following members, namely:-

- (i) The Vice-Chancellor,
- (ii) The Pro-Vice-Chancellor,
- (iii) The Director of Technical Education,
- (vi) The Secretary to Government, Higher Education Department
- (v) **The Chairman of the Kerala State Committee on Science and Technology.**
- (vi) Three Deans of Faculties of the University by rotation in the alphabetical order of the Faculties in every two years.
- (vii) An expert from the field of Industry and Commerce, nominated by the Chancellor.
- (viii) **Five** members of the Senate, nominated by the Government, of whom one shall be a member of the Scheduled Caste or Scheduled Tribe and one shall be a teacher.
- (ix) An official representative of the University Grants Commission, nominated by the Commission.
- (x) Two persons nominated by the Government from among the members of the Legislative Assembly of Kerala.

(2) The term of office of the members nominated under items (vii), (viii), (ix) and (x) sub-section (1) shall be four years from the date of their nomination and they shall not be eligible for re-nomination.

Provided that no person nominated in his capacity as a member of the Legislative Assembly shall hold office as a member of the syndicate for a longer period than three months after he has ceased to be such member of the Legislative Assembly, unless in the meanwhile, he again becomes a member of the Legislative Assembly.

18. Powers of the Syndicate.- Subject to the provisions of this Act and the Statutes, the executive powers of the University including the general superintendence and control over its institutions shall be vested in the Syndicate and subject likewise the Syndicate shall have the following powers, namely:-

(i) to so manage the University that its objectives are fulfilled;

(ii) to admit an institution to the University as a Recognised Institution in accordance with the terms and conditions prescribed by the Ordinances;

(iii) to make Statutes for the consideration of the Chancellor;

(iv) to make Ordinances and Rules and to amend or repeal the same;

(v) to hold, control and administer the properties and funds of the University including investment of money in such stocks, funds, shares or securities as deemed fit;

(vi) to provide buildings, premises, furniture, apparatus and other requisites for carrying on the work of the University, and to that end enter into, vary, carry out and cancel contracts on behalf of the University;

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

(viii) to arrange for and direct the inspection of hostels and other institutions and to constitute a Board of Inspection for that purpose;

(ix) to establish, maintain and manage departments and institutes of research and other advanced centres of learning as it may from time to time deem necessary;

(x) to appoint teachers and other employees of the University of and above the rank of an Assistant Registrar and prescribe their duties;

(xi) to create teaching, technical, administrative, ministerial and other necessary posts;

(xii) to suspend, discharge, dismiss or otherwise take disciplinary action against teachers and other employees of the University of and above the rank of Assistant Registrar;

(xiii) to entertain, adjudicate upon, and if thought fit, to redress any grievances of the officers of the University, the teaching staff, the students and other employees of the University who may, for any reasons, feel aggrieved;

(xiv) to fix and regulate the fee payable by the students;

(xv) to create academic fellowships, honorary or otherwise;

(xvi) to create research fellowships, Scholarships, student ships, bursaries, medals and prizes with the prior concurrence of the Finance Committee;

(xvii) to exercise supervision and control over the residence and discipline of students;

(xviii) to consider and pass the Financial Estimates, the Annual Accounts, together with the Audit Report and the Annual Report of the University in accordance with the provisions of the Statutes made in this behalf;

(xix) to conduct examinations and approve and publish the results thereof;

(xx) to appoint members to the Faculties and Boards of Studies;

(xxi) to approve panels of examiners and to fix their remuneration;

(xxii) to delegate any of its powers to the Vice-Chancellor;

(xxiii) to arrange for the inspection of recognised institution to ensure compliance with the conditions of recognition and to decide on the continuance of recognition;

(xxiv) to withhold or cancel the result of any candidate at any examination;

(xxv) to accept grants, endowments, bequests, donations and transfers of movable and immovable properties to the University on its behalf;

(xxvi) to negotiate with other Universities for the recognition of the examinations of the University;

(xxvii) to establish, in collaboration with industries, research facilities and service training for the students; and

(xxviii) to exercise such other powers and perform such other duties as may be prescribed by this Act, and the Statutes and the Ordinances, made thereunder.

19 *Senate.* - The Senate shall consist of the following members, namely:-

EX-OFFICIO MEMBERS

- (i) the Chancellor;
- (ii) the Pro-Chancellor;
- (iii) the Vice-Chancellor;
- (iv) the Pro-Vice-Chancellor;

- (v) the Mayor of Cochin;
- (vi) two Officers nominated by the Government;
- (vii) the Chairman, State Advisory Board of Education;
- (viii) one nominee each of the Vice-Chancellors of the other Universities of the State;
- (ix) members of the Syndicate who are not members of the Senate;
- (x) Member of the Legislative Assembly and Member of the Lok Sabha representing the area in which the Headquarters of the University is situated;
- (xi) the Chairman, University Students Union.

ELECTED MEMBERS

- (i) Five Members elected from among the Principals of all Engineering Colleges of the State, Heads of University Departments and Heads of Branches of Studies in the University, of whom two shall be Principals of Engineering Colleges;
- (ii) Four Members, elected by the members of the Academic Council from among themselves;
- (iii) Five members, other than those mentioned in item (x) under "Ex-officio Members", elected by the members of the Legislative Assembly from among themselves, of whom one shall be a member of Scheduled Caste;
- (iv) Three Deans of Faculties to be elected from among themselves.
- (v) Ten members, other than those mentioned in item (i) under "Elected Members", elected from among themselves by the teaching staff of the University Departments and Recognised Institutions;

- (vi) Two members, elected by the registered Trade Unions in the State from among themselves in such manner as may be prescribed;
- (vii) Two members, elected by the non-teaching staff of the University from among themselves;
- (viii) Seven members, elected by the students of the University from among themselves in such manner as may be prescribed.

OTHER MEMBERS

- (i) Four experts representing Industries and Commerce nominated by the Government, of whom one shall be a representative of any of the chamber of commerce situated within the area of the Greater Cochin Development Authority;
- (ii) Two members nominated by the Government of whom one shall be a Principal of any of the Engineering Colleges in the State and the other shall be a teacher of a Polytechnic in the State;
- (iii) Not more than seven members nominated by the Chancellor representing:
 - (a) Recognised research institutions ;
 - (b) Recognised Cultural associations ;
 - (c) Authors ;
 - (d) Journalists ;
 - (e) Advocates ;
 - (f) Eminent Educationists ;
 - (g) Scheduled Castes, Sheduled Tribes and other Backward Classes.

(iv) Six graduates, who are domicilled in the State, nominated by the Government.

20. *Reconstitution of the Senate.*-(1) The Senate shall be reconstituted in every four years.

(2) Every member of the Senate, other than ex-officio members, shall be subject to the provisions of this Act and the Statutes, hold office until the next reconstitution of the Senate.

Provided that no member nominated or elected in the capacity as a member of a particular body or as the holder of a particular office, shall hold office for a longer period than three months after he has ceased to be such member or holder of such office, unless in the meanwhile he again becomes a member of that body or holder of such office:

Provided further that where an elected or nominated member of the Senate is appointed to any office, by virtue of which he is entitled to be a member of the Senate *ex-officio*, he shall, by notice in writing signed by him and communicated to the Vice-Chancellor within seven days from the date of his taking charge of his appointment, choose whether he will continue to be a member of the Senate by virtue of his election or nomination or an *ex-officio* member by virtue of his appointment and such choice shall be final.

(3) On the failure of a member to make the choice under the preceding proviso, he shall be deemed to have vacated his office as an elected or nominated member.

(4) When a person ceases to be a member of the Senate he shall cease to be a member of any of the authorities of the University of which he is a member by virtue of his membership of the Senate,

21. *Powers and functions of the Senate.*-Save as otherwise expressly provided in this Act, the Senate shall have the following powers, namely:-

(a) to review, from time to time, the general policies and programmes of the University;

(b) to suggest measures for the improvement and development of the University;

(c) to consider the annual report and the annual accounts of the University and the Audit Report on such accounts and to pass resolution thereon;

(d) to advise the Chancellor on any matter referred to by him in for advice.

22. *Meetings of the Senate* (1) The Senate shall meet at least once in four months on such dates as may be fixed by the Vice-Chancellor.

(2) The quorum for the meeting of the Senate shall be twenty.

23. *The Academic Council.* -(1) The Academic Council shall be the principal academic body of the University, and subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over the academic programmes and policies of the University. It shall be responsible for the maintenance of standards of instruction, research, education and examinations within the University, and shall exercise such powers and perform such other duties as may be conferred on it by the Statutes.

(2) The Academic Council shall consist of the following members, namely:-

EX-OFFICIO MEMBERS

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor,

- (ii) a nominee each of the Vice-Chancellors of other Universities in the State, representing the Faculties of Science / Engineering / Technology / Social Science.
- (iv) the Director of Technical Education,
- (v) the Deans of Faculties,
- (vi) all members of the Syndicate who are not otherwise members of the Academic Council.
- (vii) all the Heads of Departments/Schools of study and research.
- (viii) all the Chairmen of the Boards of Studies who are not otherwise members of the Academic Council

NOMINATED MEMBERS

- (i) Three senior Professors who are not otherwise members of the Academic Council nominated by the Vice-Chancellor for a term of two years, representing distinct branches of studies.
- (ii) Three senior Readers who are not otherwise members of the Academic Council nominated by the Vice-Chancellor for a term of two years, representing distinct branches of studies.
- (iii) Five outstanding scholars of national/international repute from outside the State nominated by the Chairman, University Grants Commission, for a period of two years,
- (iv) One representative each of the following national institutions / organisations to be nominated by the chancellor, on the recommendation of the Vice-chancellor, for a period of two years; (a) Council of Scientific and Industrial Research, (b) Department of Science and Technology (Government of India), (c) Indian Council of Agricultural Research, (d) Indian Space Research Organisation, (e) National Institute of Oceanography and (f) Defence Research and Development Organisation.

- (v) Three experts in Industry and Commerce to be nominated by the chancellor for a term of two years.

ELECTED MEMBERS

Two members, elected by the Students of the University, for one year, from among themselves in such manner as may be prescribed, of whom one shall be from the research wing and the other from the graduate and post-graduate students.

- 24. *Powers and duties of the Academic Council.*- Subject to the provisions of this Act and of the Statutes, the Academic Council shall have the following powers, duties and functions, namely;-
 - (i) to advise the syndicate on all academic matters;
 - (ii) to make Regulations and to amend or repeal the same, with the approval of the Syndicate on the following matters:-
 - (a) prescribing courses of studies and scheme of examination;
 - (b) prescribing qualifications for admission of students to various courses of studies and to research degrees, and to the examinations and the conditions under which exemption may be granted;
 - (c) prescribing the standards of evaluation of the performance of students and classification of students on the basis of their performance in the examinations;
 - (d) prescribing the conditions for admission of candidates for research degrees and the requirements for the award of such degrees;
 - (e) prescribing the qualifications for recognition of teachers and scientists as supervising guides for research;

- (f) prescribing the equivalence of examinations, degrees, diplomas and certificates of other Universities, institutions, boards;
 - (g) prescribing the qualifications of teachers in conformity with the recommendations of the University Grants Commission;
 - (h) prescribing the norms for the upgradation of teaching posts;
 - (iii) to examine and act upon the recommendations of the various faculties in making Regulations;
 - (iv) to determine what degree, diplomas and other academic distinctions shall be granted by the University, and to award the same;
 - (v) to institute teaching posts, scholarships, fellowships;
 - (vi) to consider the annual reports and to make suggestions thereon before it is considered by the Syndicate;
 - (vii) to recommend to the Syndicate the conferment of honorary degrees and other distinctions;
 - (viii) to delegate to the Vice-Chancellor any of its powers
 - (ix) to exercise such other powers and perform such other functions as may be prescribed by the Statutes.
25. *Faculties.*-(1)(a) The University shall have such faculties as may be prescribed by the Statutes from time time.
- (b) Each Faculty shall subject to the control of the Academic Council, be responsible for the co-ordination of study and research in the branches of studies represented in the Boards of Studies coming under its purview.
- (2) The term of the Faculty, its constitution and membership shall be prescribed by the Statutes.

- (3) **Subject to the provision of this Act, each Faculty shall exercise such powers and perform such duties as may be prescribed by the Statutes.**
 - (4) **There shall be a Dean for each Faculty, who shall be nominated by the Vice-Chancellor.**
 - (5) **The Dean of each Faculty shall be responsible for the due observance of the Statutes, Regulations and Ordinances and in guiding the deliberations of the Faculty.**
 - (6) **The Dean of a Faculty shall hold office for a term of three years.**
26. ***Boards of Studies.*-(1) There shall be a Board of Studies for each branch of study or branches of studies as the syndicate may decide.**
- (2) **The constitution and powers of the Boards of studies shall be prescribed by the Statutes.**
27. ***Planning Committee.*-(1) There shall be a Planning Committee with a person deputed by the Syndicate as Chariman to advise the Syndicate and the Academic Council on any matter, which it considers necessary for the fulfilment of the objectives of the University.**
- (2) **The Planning Committee shall be responsible for-**
 - (a) **The overall planning of the development of the University in the perspective of five years;**
 - (b) **the delineation of desirable direction of growth;**
 - (c) **monitoring the implementation of programmes approved by the Syndicate; and**
 - (d) **assessing the overall performance of the University in achieving targets set for the plan period.**

- (3) Subject to the provisions of this Act, the constitution, powers and functions of the planning Committee shall be prescribed by the Statutes.
28. *Finance Committee.*-(1) There shall be a Finance Committee with a person deputed by the Syndicate as Chairman to advise the Universtiy on any question affecting its finances.
- (2) Subject to the provisions of this Act, the constitution, powers and functions of the Finance Committee and its procedures, including the delegation of its powers, shall be prescribed by the Statutes.
29. *Staff Council.*-(1) The Staff Council shall consist of the following members, namely;
- (a) The Pro-Vice-Chancellor, who shall be the Chairman of the Staff Council;
- (b) Two members elected by the teachers of the University Departments and Recognised Institutions, from among themselves;
- (c) Two members elected by the non-teaching staff of the University, from among themselves.
- (d) Two members elected by the members of the Senate from among temselves;
- (e) Two members elected by the members of the Syndicate, from among themselves.
- (2) The Staff Council shall be reconstituted every two years.
- (3) The Staff Council shall have the power, subject to the provisions of this Act and with the previous approval of the Syndicate, make rules regarding the procedure and conduct of its business.

(4) *The Staff Council may subject to the provision of this Act, the Statutes, Ordinances and Regulations, discuss the general or individual grievances, if any, of the employees of the University and submit its suggestions thereon for the consideration of the Syndicate.*

30. *University Appellate Tribunal.*-(1) *The Government shall constitute a University Appellate Tribunal for the purposes of this Act.*

(2) *The Appellate Tribunal shall consist of a Judicial Officer not below the rank of a District Judge nominated by the Chancellor in consultation with the High Court.*

(3) *The Appellate Tribunal shall have the power to make regulations consistent with the provisions of this Act, with the previous sanction of the Government for regulating its procedure and disposal of its business.*

(4) *The regulations so made shall be published in the Gazette.*

(5) *Subject to the provisions of this Act, the jurisdiction and powers of the Appellate Tribunal shall be prescribed by the Statutes.*

Chapter V

SELECTION COMMITTEES

31. *Constitution of Selection Committees.-*

(1) The Chancellor shall, in consultation with the Syndicate, constitute from time to time, separate selection committees for the purpose of selection of candidates for direct recruitment to the posts of-

(i) Professor, Reader.

(ii) Lectureres and other posts not being posts of non-teaching staff.

(iii) Non-teaching staff.

(2) The selection Committee shall consist of-

(a) in the case of the Selection Committee for selection of Professors and Readers,-

(i) the Vice-Chancellor,

(ii) the Pro-Vice-Chancellor,

(iii) a member of the Syndicate, deputed by the Syndicate,

(iv) two subject experts to be nominated by the Chancellor;

(b) in the case of the Selection Committee for recruitment of Lectures and other teaching staff,-

(i) Vice-Chancellor,

* amended as per notification No.17689/Leg. CI/88/Law Dt. 8-3-89 (appendix)

- (ii) the Pro-Vice-Chancellor,
 - (iii) a member of the Syndicate, deputed by the Syndicate
 - (iv) head of the Department,
 - (v) one expert to be nominated by the Syndicate;
- (c) in the case of the Selection Committee for recruitment of non-teaching staff,-

- (i) Vice-Chancellor,
- (ii) the Pro-Vice-Chancellor,
- (iii) a member of the Syndicate, deputed by the Syndicate,
- (iv) Registrar.

(3) No person shall be directly recruited to the teaching or non-teaching staff of the University except on the recommendation of the concerned Selection Committee constituted under subsection (1)

(4) The quorum for a meeting of a Selection Committee shall be three.

(5) The procedure to be followed by each Selection Committee for selection of candidates shall be prescribed by the Statutes.

(6) Where the oral test (interview) is proposed to be conducted by the Selection Committee, the Committee, shall invite the Head of the Department concerned to be present or to appoint a representative to be present and the Head of Department or his representative so present may take part in the deliberations of the Selection Committee but shall not be entitled to award marks;

Provided that the Selection Committee shall invite, where they consider it necessary, any person or person with expert knowledge in particular subjects to be present at the interview to assist the Selection Committee but such person or persons shall not be entitled to award marks.

(7) It shall be the duty of the Heads of Departments or their representatives and persons with expert knowledge who are invited to be present at the interview, to be present at the appointed time and Co-operate with the Selection Committee in the conduct of the selection.

(8) Any person referred to in sub-section (7) being an employee of the Government or a University in the State who violates the provisions of that sub-section or misbehaves or acts in any manner so as to affect the fair conduct of a selection, shall be guilty of misconduct and shall be liable for disciplinary action.

(9) The rank of lists prepared by the Selection Committees shall be published in the notice board of the University and also in the Gazette.

(10) A rank list published under sub section (9) shall remain in force for a period of two years from the date of such publication and all vacancies arising during the period shall be filled up from the list so published.

(11) Communal rotation shall be followed category-wise treating all the departments as one unit.

(12) The Registrar shall maintain a register containing the list of appointments made indicating the vacancies filled up by open competition and by reservation to Scheduled Castes, Scheduled Tribes and other Backward Classes, vacancies remaining to be filled up for want of qualified hands from Scheduled Castes, Scheduled Tribes and Other Backward Classes, and vacancies carried forward for want of qualified hands under reservation quota for being filled up in future vacancies and such other details as may be specified in the Statutes.

(13) Where the Syndicate proposes to make an appointment otherwise than in accordance with the order of merit arranged by the selection Committee, it shall record its reasons therefor in writing and submit them to the Chancellor who may approve proposal or return it to the Syndicate for reconsideration.

(14) After reconsideration in pursuance of sub-section (13), if the Syndicate desires to pursue its original proposal, it shall refer the matter again to the Chancellor for his decision and the decision of the Chancellor thereon shall be final.

(15) The Chancellor shall have the power to give directions to the Vice-Chancellor to cancel appointments made not in accordance with the provisions of this section:

Provided that before giving a direction under this sub-section the Chancellor shall give to the person so appoint, a reasonable opportunity to show cause why such direction should not be given and shall consider his explanations and objections, if any.

(16) If at any time it is disclosed that a person has secured appointment to any post under the University by making any false statement before the selection Committee or in any application submitted by him or by producing any false documents, his appointment shall, without prejudice to any other action that may be taken against him, be cancelled by the Vice-Chancellor:

Provided that before cancelling an appointment under this subsection the Vice-Chancellor shall give to the person so appointed, a reasonable opportunity to show cause why the appointment should not be cancelled and shall consider his explanations and objections, if any.

Chapter VI

FINANCE AND ACCOUNTS

32. *The University Fund.*- The amounts received from the following source shall form part of the University's Fund-

(a) any contribution or grant made by the State Government;

(b) any contribution or grant made by the University Grants Commission;

(c) any contribution or grant made by the Central Government and its agencies;

(d) any bequests, donations, endowments or other grants made by private individuals or institutions;

(e) the income received by the University from fees and charges;

(f) the amounts borrowed by the University; and

(g) the amounts received from any other source.

(2) The Fund shall be kept in a nationalised bank or invested in securities authorised by the Indian Trusts Act, 1882, as may be decided by the Syndicate.

(3) The fund may be employed for any of the persons of the University in the manner prescribed.

(4) The Fund shall be operated by the Registrar or by an officer of the University not below the rank of an Assistant Registrar authorised in this behalf by the Vice-Chancellor.

33. *Power to borrow.*- The University may, with the previous sanction of the Government as regards the purpose and amount of loan, and subject to such conditions as may be specified by the Government as to security, and rate of interest, borrow any sums of money from any Nationalised Bank or Scheduled Bank or any other incorporated body.

34. *Annual Accounts.*-(1) The annual accounts of the University shall be prepared under the directions of the Syndicate and shall be submitted to the Government for audit.

(2) The annual accounts together with the audit report thereon shall be published by the Syndicate, and copies of such accounts and audit report shall be submitted to the Government.

35. *Annual Financial Estimates.* (1) The Syndicate shall prepare before such date as may be prescribed by the Statutes the financial estimates for the ensuing year.

(2) The Syndicate may, in urgent cases where expenditure in excess of the amounts provided for in the Budget is found to be necessary, for reasons to be recorded in writing, incur such expenditure.

36. *Audit of Accounts of the University.-*

(1) The Government shall appoint auditors of the accounts of the University and of the institutions under its management.

(2) The auditors 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 and control of the University.

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

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

(5) The auditors shall specify in the report under subsection (4) all cases of irregular, illegal or improper expenditure or of failure to recover moneys or other property due to the University or of any loss or waste of money or other property thereof caused by neglect or misconduct of the officers and authorities of the University.

(6) The auditors shall also report on any other matter relating to the accounts of the University as may be required by the Government.

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

37. *Annual Report.* (1) The Syndicate shall prepare the annual report of the university containing such particulars as the Government may specify covering each financial year, and before its final approval, it shall be presented to the Academic Council for the review on or before such date as may be prescribed by the Statutes.

(2) Copies of the Annual Report and the Annual Accounts shall be sent to the Government, and the Government shall place them before the State Legislature.

Chapter VII

STATUTES, ORDINANCES, REGULATIONS AND RULES

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

(1) The constitution, functions and powers of the authorities of the University and such other bodies as may be declared to be authorities of the University from time to time;

(2) The appointment, conditions of service, powers and duties of the officers, teachers and other employees of the University;

(3) The conferment of Honorary Degrees;

(4) The award of degrees, diplomas, titles, certificates and other academic distinctions;

(5) The withdrawal of degrees, diplomas certificates and other academic distinctions;

(6) The institution of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(7) The procedure to be followed at meetings of authorities of the University including the quorum for the transaction of business by them;

(8) The classification of teachers of the University, and other employees;

(9) Acceptance and management of bequests, donations and endowments;

(10) Constitution, jurisdiction and powers of the Appellate Tribunal;

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

39. *Procedure for making Statutes.*- (1) The First Statutes of the University shall be made by the Government, by notification in the Gazette and shall continue in force until amended or superseded by Statutes made by the Syndicate in accordance with the provisions of this section.

(2) The Syndicate may, from time to time, make new or additional Statutes or may amend or repeal Statutes in the manner hereinafter provided.

(3) No Statutes affecting the powers or duties of any authority or Officer of the University shall be considered by the Syndicate unless the draft of such Statute is referred by the Vice-Chancellor to such authority or Officer concerned for expressing its or his views thereon within such period as may be specified in the reference or within such further period as the Vice-Chancellor may allow and views, if any, so expressed duly considered.

(4) Every Statute passed by the Syndicate shall be

submitted to the Chancellor who may give or withhold his assent thereto or refer it back to the syndicate for reconsideration with such observations as be

(5) No Statute passed by the Syndicate shall have validity until assented to by the Chancellor and it shall come into force on the date of its publication in the Gazette or such other date as the Chancellor may fix.

40. *Ordinances.*- Subject to the provisions of this Act, and the Statutes, the Ordinances of the University may provide for all or any of the following matters, namely:-

(1) fees to be charged for the courses of study in the University and for admission to the examinations, degrees and diplomas of the University:

(2) conditions relating to the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;

(3) conduct of examinations including the terms of office, manner of appointment and the duties of examining bodies, examiners and moderators;

(4) emoluments, terms and conditions of service of employees of the University in so far as they are not provided for by the Statutes;

(5) recognition of institutions as "Recognised Institutions"

(6) supervision of students engaged in research and special studies in recognised institutions;

(7) fees to be charged for the services rendered by the University:

(8) all other matters which by this Act or by the Statutes are to be or may be provided for by the Ordinances of the University.

41. Procedure for making Ordinances.-(1) The Syndicate shall have power to make Ordinances in the manner hereinafter provided.

(2) In making Ordinances, the Syndicate shall consult the Board of studies concerned where such Ordinances affect the appointment and duties of Examiners.

(3) Every Ordinance made by the Syndicate shall be submitted to the Academic Council at its next meeting. The Academic Council shall be competent to propose amendments to any such Ordinance for the consideration of the Syndicate. The Syndicate shall resubmit the Ordinance at the next meeting of the Academic Council with or without amendments.

(4) Every Ordinance shall have effect from the date of its publication in the Gazette or such other date as the Syndicate may direct.

42. Procedure for making Regulations.-(1) The Academic Council may, subject to the approval of the Syndicate, make Regulations consistent with this Act and the Statutes and the Ordinances of the University.

(2) The Regulations may provide for the exercise of all or any of the powers enumerated in section 24 of this Act.

(3) Every Regulations shall come into force on the date of its publication in the Gazette or such other date as the Syndicate may direct.

43. Rules.-(1) Any of the authorities enumerated as (v) to (viii) of section 16 of this Act may subject to the approval of the Syndicate, make rules consistent with this Act and the Statutes, the Ordinances and the Regulations made thereunder.

(2) The rules may provide for-

(a) The giving of notices to the members of each

authority or board, of the dates of meetings and of the business to be transacted at the meetings and also for keeping a record of the proceeding of meetings;

(b) The procedure to be followed at the meetings and number of members required to form the quorum for the meetings;

(c) All matters solely concerning such authority or board and not provided for by this Act, or the Statutes or the Ordinances made under this Act.

(3) The Syndicate may refuse to approve the rules submitted to it or may return them to the authority or board concerned for further consideration or may approve the rules without modifications or subject to such modifications as the Syndicate may deem fit.

(4) Every rule made under this section shall come into force on the date of its publication in the Gazette or such other date as the Syndicate may direct.

Chapter VIII

FILLING OF VACANCIES-RESIGNATIONS,REMOVAL ETC; OF MEMBERS OF THE AUTHORITIES AND BODIES OF THE UNIVERSITY

44. *Protection of acts and Proceeding of the Syndicate, Senate, Academic Council, etc.*-(1) No act or proceedings of the Syndicate, the Senate, the Academic Council or any other body constituted under this Act or the Statutes, Ordinances, Regulations or Rules made thereunder shall be invalid merely by reason of any vacancy existing in the body performing the act or passing the proceedings.

(2) The Registrar shall forward to the Government copies of the proceedings at a meeting of the Syndicate and the Academic Council within two months of such meeting.

45. Filling up of Vacancies.- (1) All vacancies among the members (other than *ex-officio* members) of any authority or body of the University by reason of death, resignation or otherwise shall be filled, as soon as may be, by the person or authority who or which appointed or nominated the member whose place has become vacant.

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

46. Resignation or removal of members of any Authority or Body.-(1) Any member of any authority or body of the University may resign his office by letter addressed to the Registrar and the resignation shall take effect from the date of receipt of the letter by the Registrar.

(2) The Vice-Chancellor may, on the recommendation of not less than two-thirds of the number of members of the Syndicate, remove the name of any person convicted by a court of law of any offence involving moral delinquency or punished by the University for malpractice connected with any University examination from membership of any authority or body of the University and for the same reason may withdraw any degree or diploma conferred or granted by the University.

(3) The Vice-Chancellor may on the recommendation of the Syndicate, also remove any person from the membership of any authority or body of the University if he becomes of unsound mind or a deaf-mute or has applied to be adjudicated or has been adjudicated as insolvent.

(4) If a member of any authority or body of the University who is not an *ex-officio* member fails to attend three consecutive meetings of that authority or body, he shall cease to be a member of such authority or body and thereupon the

Registrar shall intimate him that he has ceased to be such member:

Provided that such authority or body may, if satisfied that there was sufficient cause for the failure of the member to attend the meetings, restore him to its memberships.

Chapter IX MISCELLANEOUS

47. *Protection of acts and orders-* All acts and orders duly and in good faith done or passed by the University or any of its authorities, bodies or officers shall be final and no suit shall be instituted against, or damage claimed from, the University or its authorities, bodies or officers for any thing purporting to be done in pursuance of this Act and the Statutes, Ordinances, Regulations, Rules, Bye-laws and Orders made thereunder.

48. *Dispute as to constitutions of University's*

Authority or Body.-(1) If any dispute arises regarding the interpretation of any provision of this Act or any Statutes, Ordinances or as to whether a person has been duly appointed, or nominated or is entitled to be a member of any authority or body of the University, the matter may be referred to the Chancellor, and shall be so referred to him if not less than ten members of the Syndicate so require.

(2) The Chancellor shall after taking such advice as he deems necessary, decide the question and his decision thereon shall be final;

Provided however that the decision of the Chancellor shall not be binding on the University Appellate Tribunal.

49. *Bar of jurisdiction of Civil Courts.*-No civil court shall have jurisdiction to settle decide or deal with any question or to determine any matter which is, by or under this Act,

required to be settled, decided or dealt with or to be determined by any authority or person under this Act.

50. Power of Government to cause inspection of the University.- (1) The Government shall have the right to cause an inspection to be made by such person or persons as they may direct of the University, its buildings, laboratories, libraries, museums, workshops and equipments and of any institutions maintained, recognised or approved by, the University and also of the work conducted by the University, and to cause enquiry to be made in respect of any matter connected with the University.

(2) The Government shall; before taking any action under subsection (1) give notice to the University of their intention to cause such inspection or enquiry to be made and the University shall be entitled to be represented thereat.

(3) The Government shall communicate to the Syndicate the result of any inspection or inquiry made under sub-section (1) and may, after ascertaining the opinion of the syndicate thereon, convey their views to the Vice-Chancellor and to the Syndicate.

(4) The Government may, after considering the views of the Vice-Chancellor and the Syndicate on the result of any inspection or inquiry under sub-section (1), advise the University upon the action to be taken in the matter.

(5) The Syndicate shall report to the Government the action, if any which is proposed to be taken, or has been taken upon the result of any inspection or inquiry under sub-section (1)

(6) A report under sub-section (5) shall be submitted with the opinion of the Syndicate thereon and within such time as the Government may direct.

(7) Where the Syndicate does not, within a reasonable time, take any action referred to in sub-section (4) to the

satisfaction of the Government, the Government may, after considering any explanation furnished by the Syndicate in the matter, issue such directions as they may think fit, and the Syndicate shall comply with such directions.

51. *Appointment of Commission to enquire into the working of the University-(1)* The Government may at any time and shall, on the expiry of ten years from the commencement of this Act and thereafter at the expiration of every ten years, by order published in the Gazette, constitute a Commission which shall consist of a Chairman and such other members not exceeding five as the Government may appoint, and such order shall define the procedure to be followed by the Commission.

(2) The commission constituted under sub-section (1) shall inquire into and report on-

(i) The working of the University during the period to which the inquiry relates;

(ii) The financial position of the University;

(iii) Any change to be made in the provisions of this Act or the Statutes Ordinance, Rules and Bye-laws made thereunder with a view to bringing about improvement in the affairs of the University; and

(iv) such other matters as may be referred to it by the Government, and make such recommendations to the Government as it thinks fit.

(3) On receipt of the report and the recommendation of the Commission under sub-section (2), the Government shall forthwith refer such report and recommendations to the Syndicate for consideration and report.

(4) Immediately after the Syndicate has considered the report and recommendation of the Commission and submitted

its report to the Government, the Government shall consider the report of the Syndicate and pass such orders thereon as they think fit and shall also cause the same to be published in the Gazette.

52. Conditions of Service.-(1) Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed by a written order.

(2) The written order referred to in sub-section (1) shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

(3) Any dispute between any officer (other than the Vice-Chancellor and the Pro-Vice-Chancellor) or teacher of the University and the University shall, on the request of the University or the Officer or teacher concerned, be referred to the Appellate Tribunal for decision.

53. Pension, Insurance and Provident Fund.-

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

54. The nomination of the First Senate of the University.- Notwithstanding anything contained in this Act, the first Senate shall be nominated by the Government.

55. Transitory Provisions.-(1) any Officer or Authority of the University of Cochin exercising any power or performing any duty under the Cochin University Act, 1971, immediately before the commencement of this Act, shall for a period of three months from such commencement or until the corresponding officer or authority is appointed, nominated or constituted, as the case may be, in accordance with the persons of this Act or the Students or Ordinances made thereunder, whichever is earlier continue to exercise such

powers or perform such duties, as the case may be, so far as such powers or duties, are not inconsistent with the provisions of this Act.

(2) The Statutes, Ordinances, Regulations, Rules, Byelaws and Orders in force immediately before the commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, continue to be in force until they are replaced by the Statutes, Ordinances, Regulations, Rules, Bye-laws or Orders framed under this Act.

(3) All properties, all rights of whatever kind, used, enjoyed or possessed by, and all interests of whatever kind owned by or vested in, or held in trust by or for the University of Cochin constituted under the Cochin University Act, 1971 and all liabilities legally subsisting against the said University, shall pass to the Cochin University of Science and Technology constituted under this Act.

56. *Removal of difficulties.* - If any difficulty arises as to the first constitution or reconstitution of any authority of the University after the commencement of this Act, or otherwise in first giving effect to the provisions of this Act, the Government may, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

57. *Inconsistency with other laws.*-When the provisions of any other law relating to matters dealt within this Act, are inconsistent with the provisions of this Act the provision of such other law shall, to the extent of such inconsistency, have no effect.

58. *Repeal and Saving.*-(1) The Cochin University of Science and Technology Ordinance, 1986 (48 of 1986), 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.

ACT 5 OF 1989

**THE COCHIN UNIVERSITY OF SCIENCE AND
TECHNOLOGY (AMENDMENT) ACT, 1989**

(Received the assent of the Governor on the 31st day of January, 1989 and published as Act 5 of 1989 in the Kerala Gazette Extraordinary No. 104 dated the 31st January, 1989)

An Act to amend the Cochin University of Science and Technology Act, 1986.

Preamble.- WHEREAS it is expedient to amend the cochin University, of Science and Technology Act, 1986, for the purposes hereinafter appearing.

Be it enacted in the Thirty-ninth Year of the Republic of India as follows:-

1. **Short title and commencement.** -(1) This Act may be called the Cochin University of Science and Technology (Amendment) Act, 1989.

(2) It shall be deemed to have come into force on the 15th day of November, 1988.

2. **Amendment of Section. 31-** In section 31 of the Cochin University of Science and Technology Act, 1986 (31 of 1986) (hereinafter referred to as the principal Act),-

(a) in sub-section (1), for the words "The Chancellor" the words "The Vice Chancellor" shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:-

(2) The Selection Committee shall consist of-

(a) in the case of the Selection Committee for selection of Professors and Readers,-

- (i) The Vice-Chancellor, Ex-officio Chairman,
 - (ii) One member of the Syndicate nominated by the Vice-Chancellor,
 - (iii) Three subject experts not being in the service of the University chosen by the Syndicate,
 - (iv) The Dean of the Faculty concerned;
- (b) in the case of the Selection Committee for Selection of Lecturers and other teaching Staff;-
- (i) the Vice-Chancellor, Ex-officio Chairman,
 - (ii) one member of the Syndicate nominated by the Vice-Chancellor,
 - (iii) two subject experts not being in the service of the University chosen by the Syndicate,
 - (iv) the Head of the concerned Department of Professor in-charge;
- (c) in the case of the Selection Committee for selection of non-teaching staff,
- (i) The Vice-Chancellor or Pro-Vice-Chancellor, Ex-officio Chairman
 - (ii) Two members of the Syndicate nominated by the Vice-Chancellor, of whom shall be a person belonging to the Scheduled Castes or Scheduled Tribes.

The Registrar shall be the Secretary of the Committee

8. *Repeal and Saving.*- The Cochin University of Science and Technology (Amendment) Ordinance, 1988 (21 of 1988), is hereby repealed.

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

GOVERNMENT OF KERALA
Law (Legislation-Unification) Department

NOTIFICATION

15th October, 2007

No.19706/Leg.Uni.3/2007/Law Dated,Thiruvananthapuram 23rd Aswina 1929

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorize the publication in the Gazette of the following translation in English language of the Cochin University of Science and Technology (Amendment) Act, 2007 (25 of 2007).

By order of the Governor

C. SREEDHARAN PILLAI
Special Secretary (Law)

(Translation in English of "2007 - ലെ കൊച്ചി ശാസ്ത്ര-സാങ്കേതിക ശാസ്ത്ര സർവ്വകലാശാല (ഭേദഗതി) ആക്ട്" published under the authority of the Governor)

ACT 25 OF 2007

THE COCHIN UNIVERSITY OF SCIENCE AND TECHNOLOGY (AMENDMENT) ACT, 2007

An Act further to amend the Cochin University of Science and Technology Act, 1986.

Preamble – WHEREAS, it is expedient further to amend the Cochin University of Science and Technology Act, 1986 for the purposes hereinafter appearing;

BE it enacted in the Fifty-eighth year of the Republic of India as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Cochin University of Science and Technology (Amendment) Act, 2007.

(2) Clause (d) of sub-section (1) of section 2 of this Act shall be deemed to have come into force on the 5th day of February, 2007 and the remaining provisions shall come into force at once.

3. *Amendment of Section 17* – In the Cochin University of Science and Technology Act, 1986 (31 of 1986) (hereinafter referred to as the principal Act), in section 17, --

(1) in sub-section (1), --

(a) in item (iv) after the words, "The Secretary to Government, Higher Education Department" the words, "or an officer not below the rank of the Joint Secretary, Higher Education Department nominated by him", shall be inserted;

(b) for item (v), the words, "(v) The Executive Vice-President, Kerala State Council for Science, Technology and Environment" shall be inserted;

(c) in item (viii) for the word, "five" the words, 'six' and after the words, "a member of Scheduled Caste or Scheduled Tribe" the words, "one shall be a woman" shall be added respectively;

(d) after item (x), the following item shall be inserted, namely:--

"(xi) A person nominated by the Executive Council of the Kerala State Higher Education Council from among its members:

(e) after item (xi) inserted as per clause (d), the following items shall be inserted, namely:-

(xii) The Secretary to the Finance Department or an officer not below the rank of the Joint Secretary nominated by him;

(xiii) An expert from the field of Information Technology nominated by the Government;

(xiv) Chairperson, University Students Union or in the absence of the Chairperson, a post graduate/research student of the University nominated by the Government".

(2) in sub-section (2); --

(a) for the letters and brackets "(ix), (x)" the letters and brackets "(ix), (x), (xii), (xiii)" shall be substituted;

(b) after the existing proviso, the following proviso shall be added, namely :-

"Provided further that the term of the Syndicate shall co-terminus with the term of the Senate"

3. *Amendment of Section 19* – In the principal Act, in section 19, in the heading "other members", after item (iv), the following item shall be inserted, namely:-

"(v) a woman nominated by the Government"

4. *Repeal and Saving* – (1) Section 5 of the University laws (Amendment) Ordinance, 2007 (46 of 2007) 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 principal Act as amended by the said ordinance, shall be deemed to have been done or taken under the principal Act as amended by the Act.
