

## THE CALICUT UNIVERSITY ACT, 1968

(Act 24 of 1968)

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## THE CALICUT UNIVERSITY ACT, 1968\*

(Act 24 of 1968)

*An Act to establish and incorporate a University at Calicut*

*Preamble.*—WHEREAS it is expedient to establish a teaching, residential and affiliating University at Calicut for the urgent development of higher education in the comparatively poorly developed regions of the northern districts of the State of Kerala;

Be it enacted in the Nineteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Calicut University Act, 1968.

(2) It shall be deemed to have come into force on the 23rd day of July, 1968.

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

(i) “Academic Council” means the Academic Council of the University;

(ii) “Board of Studies” means a Board of Studies of the University;

(iii) “Chancellor” means the Chancellor of the University;

(iv) “College” means a College maintained by, or affiliated to, the University;

(v) “Dean” means the President of a Faculty of the University;

(vi) “department” means the department designated as such by the Ordinances or Regulations with reference to a subject or group of subjects;

(vii) “Faculty” means a Faculty of the University;

(viii) “prescribed” means prescribed by this Act or the Statutes, Ordinances, Regulations, rules or bye-laws made thereunder;

(ix) “Principal” means the head of a College;

(x) “Private College” means a College maintained by an agency other than the Government or the University and affiliated to the University;

(xi) “Pro-Chancellor” means the Pro-Chancellor of the University;

(xii) “Pro-Vice-Chancellor” means the Pro-Vice-Chancellor of the University;

\* Published in the Gazette Extraordinary No. 232, dated 23rd September, 1968.

(xiii) "registered graduates" means graduates registered under the provisions of this Act and the Statutes and includes graduates deemed to be registered graduates;

*Explanation.*—All registered graduates of the Kerala University who on the date of commencement of this Act are employed in or are ordinarily residents of the Cannanore, Kozhikode, Palghat or Trichur districts of the State and apply to the University of Calicut and get their names registered within one year from the date of commencement of this Act shall be deemed to be registered graduates of the University :

Provided that no fee shall be payable in respect of such application.

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

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

(xvi) "Statutes," "Ordinances", "Regulations", "Bye-laws" and "Rules" mean the Statutes, Ordinances, Regulations, Bye-laws and Rules respectively of the University;

(xvii) "student" means a part-time or full-time student receiving instruction or carrying on research in any of the colleges or other educational institutions of the University;

(xviii) "Syndicate" means the Syndicate of the University;

(xix) "teacher" means a Principal, Professor, Assistant Professor, Reader, Lecturer, Instructor or such other person imparting instruction or supervising research in any of the colleges or other educational institutions of the University;

(xx) "teachers of the University" means teachers employed in institutions maintained by the University;

(xxi) "University" means the University of Calicut constituted under this Act;

(xxii) "University area" means the area to which this Act extends under sub-section (1) of section 4; and

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

3. *The University.*—(1) The Chancellor, the Pro-Chancellor, the Vice-Chancellor, the Pro-Vice-Chancellor and the members of the Senate, the Syndicate and the Academic Council, for the time being shall constitute a body corporate by the name of "the University of Calicut".

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

(3) Subject to the provisions of this Act the University shall have power to take, purchase and hold any property, movable or immovable, which may become vested in it for the purposes 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 appurtenant to a body corporate.

(4) All movable and immovable property transferred to the University by the Government or the University of Kerala shall be under the direction, management and control of the University and applied by it subject to the provisions and for the purposes of this Act.

4. *Territorial limits.*—(1) The jurisdiction of the University shall extend to the revenue districts of Cannanore, Kozhikode, Palghat and Trichur of the State.

(2) No educational institution situated outside the territorial limits of the University shall save with the sanction of the Chancellor be affiliated to the University, and no educational institution situated within the territorial limits of the University shall save with the sanction of the Chancellor seek or continue affiliation to any other University established by law.

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

(i) to provide for instruction in such branches of learning as the University may deem fit and to make provision for research and for the advancement and dissemination of knowledge;

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

(iii) to hold examinations and to confer degrees and other academic distinctions on persons who—

(a) shall have pursued a prescribed course of study in a college under the University, unless exempted therefrom in the manner prescribed, and shall have passed the prescribed examination; or

(b) shall have carried on research under prescribed conditions;

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

(v) to grant diplomas, certificates or other distinctions to persons who shall have pursued a prescribed course of study under prescribed conditions;

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

(vii) to establish, maintain and manage educational institutions and institutes of research;

(viii) to affiliate to itself colleges within the territorial limits of the University in accordance with the conditions to be prescribed in the Statutes regarding management, salary and terms of service of members of the staff, and other such matters, and to withdraw affiliation from colleges;

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

(x) to inspect colleges and hostels;

(xi) to establish, maintain and manage hostels, to recognise hostels not maintained by the University and to withdraw recognition therefrom;

(xii) to exercise such control over the students as will ensure their physical and moral well-being;

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

(xiv) to regulate the fees payable in private colleges affiliated to the University;

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

(xvi) to institute and provide funds for the maintenance of,—

(a) a students' Advisory Bureau;

(b) an employment Bureau;

(c) University Athletic Clubs;

(d) the National Cadets Corps;

(e) University Extension Boards;

(f) University Students' Union;

(g) A Translation and Publication Bureau;

(h) Co-operative societies and other similar institutions for promoting the welfare of students;

(xvii) to establish and maintain such other institutions as it may deem necessary;

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

(xix) generally to do such other acts as may be required to further the aims and purposes of this Act.

6. *University open to all classes and creeds.*—No person shall, on grounds only of religion, race, caste, sex, descent, place of birth, residence, political opinion or any of them, be ineligible for, or discriminated against in respect of any employment or office under the University or admission to any degree or course of study in the University:

Provided that the University may subject to the previous sanction of the Government, maintain, affiliate or recognise any college or institution exclusively for women, for education or instruction or residence, or reserve for women or members of socially and educationally backward classes or of Scheduled Castes and Scheduled Tribes places for the purposes of admission as students in any college or institution maintained or controlled by the University.

7. *Disqualification for membership.*—(1) No person shall be qualified for election or nomination as a member of any of the authorities of the University or for continuing as such member if he,—

(a) is below twenty-five years of age or of unsound mind, deaf-mute; or

(b) is an undischarged insolvent; or

(c) has been convicted by a court of law, of an offence involving moral delinquency.

(2) If any question arises as to whether any person is disqualified under sub-section (1), the question shall be referred to the Syndicate and its decision thereon shall be final.

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 meetings of the Senate and at any Convocation of the University.

(3) The Chancellor shall exercise such powers as may be conferred on him under the provisions of this Act or the Statutes.

9. *The Pro-Chancellor.*—(1) The Minister for the time being administering the subject of 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 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; and

(iv) 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 special committee consisting of three members, one elected by the Senate, one elected by the Syndicate and the third nominated by the Chancellor.

(2) In case the committee appointed under sub-section (1) if unable to recommend a name unanimously, the Vice-Chancellor shall be appointed by the Chancellor from among a panel of three names submitted to him by the special committee.

(3) If the special committee fails to submit a panel of three names before the expiry of the term of office of the Vice-Chancellor, another special committee consisting of three new members, one elected by the Senate, one elected by the Syndicate and the third nominated by the Chancellor shall within three months of its constitution make a unanimous recommendation of a person for appointment as Vice-Chancellor and the Chancellor shall appoint such person as Vice-Chancellor and in case the committee is unable to recommend a name unanimously, it shall submit within the said period of three months, a panel of three names to the Chancellor, who shall appoint one from among the panel as Vice-Chancellor.

(4) Notwithstanding anything contained in sub-sections (1), (2) and (3) for the appointment of the first Vice-Chancellor after the commencement of this Act it shall not be necessary to constitute a special committee under sub-section (1).

(5) The Vice-Chancellor shall hold office for a period of three years and shall receive such remuneration as may be fixed in this behalf by the Chancellor:

Provided that the Vice-Chancellor shall notwithstanding the expiration of the term of his office continue to hold office until his successor is appointed by the Chancellor.

(6) In the event of a temporary 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.

(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 Senate the Syndicate 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 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, the Statutes, the Ordinances and the



Regulations are faithfully observed and carried out and he shall have all powers necessary for this purpose.

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

(11) The Vice-Chancellor may take action in any emergency which in his opinion calls for immediate action and in such a case he shall as soon as may be thereafter report his action to the officer or authority who or which would ordinarily have dealt with the matter.

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

12. *The Pro-Vice-Chancellor.*—(1) During the first five years after the commencement of this Act and thereafter at any time when the Vice-Chancellor is not a full-time officer of the University there shall be a Pro-Vice-Chancellor of the University.

(2) The Pro-Vice-Chancellor shall be appointed by the Chancellor.

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

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

13. *The Registrar.*—(1) The Registrar shall be a whole-time paid officer of the University appointed by the Syndicate for such period and on such terms as may be prescribed by the Statutes.

(2) The Registrar 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. *Authorities of the University.*—The following shall be the authorities of the University, namely:—

- (i) the Senate;
- (ii) the Syndicate;
- (iii) the Academic Councils;
- (iv) the Faculties;
- (v) Board of Studies; and
- (vi) such other authorities as may be provided for in the Statutes.

15. *The Senate.*—The Senate shall consist of the following members, namely:—

*Class I—Ex-Officio Members:*

- (1) The Chancellor;
- (2) The Pro-Chancellor;
- (3) The Vice-Chancellor;
- (4) The Pro-Vice-Chancellor;
- (5) The Heads of University Departments of Study and Research;
- (6) Chief Justice of the High Court of Kerala;
- (7) Secretary to Government, Education Department;
- (8) Secretary to Government, Finance Department;
- (9) Director of Public Instruction;
- (10) Director of Collegiate Education;
- (11) Director of Technical Education;
- (12) Heads of recognised Research Institutions in the territorial jurisdiction of the University other than those maintained by the University;
- (13) Deans of Faculties;
- (14) Principals with a minimum of three years' standing as Principal of Colleges from which candidates are presented for the degree examinations;
- (15) Members of the Syndicate who are not otherwise members of the Senate.

*Class II—Elected Members:*

- (i) Six members elected by the registered graduates from among themselves;
- (ii) Two members from the members of the Legislative Assembly of the State elected by the members from among the members representing the University area;
- (iii) Ten members elected by the teaching staff of the colleges affiliated to the University from the following:—

Teachers in Arts	2 (two)
Do. Science	2 (two)
Do. Oriental Studies and Fine Arts	1 (one)
Do. Engineering and Technology	1 (one)
Do. Medicine	1 (one)
Do. Commerce and Industry	1 (one)
Do. Teaching	1 (one)
Do. Veterinary	1 (one)

- (iv) One member elected by the Corporation of Calicut from among its own body;

(v) Two members for each of the four revenue districts, one elected by the Municipal Councillors of the Municipalities in the district from among themselves and the other by the members of the Panchayats in the district from among themselves;

(vi) Four members elected from among themselves by the Heads of the recognised High Schools in the University area;

(vii) Two members elected by registered trade unions in the University area, designated by Statutes from among their members.

*Class III—Life Members:*

Such persons not exceeding two in number as may be appointed by the Chancellor to be life members on the ground that they have rendered eminent service to education.

*Class IV—Other Members:*

Four members nominated by the Chancellor, of whom—

One member shall represent recognised cultural Organisations, Associations or Societies;

One member shall represent authors;

One member shall represent Chambers of Commerce in the University area; and

One member shall represent industries of the University area.

16. *Reconstitution of the Senate.*—(1) The Senate shall be reconstituted every three years.

(2) Every member of the Senate other than ex-officio and life members shall, 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 his 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 unless in the meanwhile he again becomes a member of that electorate:

Provided also that where an elected or nominated member of the Senate is appointed temporarily to any of the offices 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 whether he will vacate office as such member and become a member ex-officio by virtue of his appointment, and the choice shall be conclusive. On failure to make such choice, he shall be deemed to have vacated his office as an elected or nominated member.

(3) 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 may happen to be a member by virtue of his membership of the Senate.

17. *Powers of the Senate.*—(1) Subject to the provisions of this Act and the Statutes, the Senate shall have general superintendence over the affairs, concerns and properties of the University and shall exercise all the powers of the University not otherwise provided for.

(2) The Senate shall, subject to the provisions of this Act and the Statutes, have the following powers, namely:—

(i) to determine what degrees, diplomas and other academic distinctions shall be granted by the University;

(ii) to make, amend or repeal Statutes either of its own motion or on the motion of the Syndicate;

(iii) to cancel or modify any Ordinance passed by the Syndicate by a resolution passed by a majority of not less than two-thirds of the members present at the meeting at which the Ordinance is reported to the Senate by the Syndicate;

(iv) to review the annual report and the annual accounts of the University which shall be placed before it by the Syndicate and to consider and pass the budget according to the provisions of the Statutes;

(v) to accept endowments, bequests, donations and transfers of any movable or immovable property on behalf of the University;

(vi) to institute after consultation with the Academic Council, fellowships, scholarships, studentships, bursaries, exhibitions, medals and prizes in accordance with the provision of this Act and the Statute and the Ordinances;

(vii) to institute, after consultation with the Academic Council, professorships, readerships, lectureships and such other teaching or research posts as it may deem necessary;

(viii) to establish and maintain such institutions as it may from time to time deem necessary;

(ix) to prescribe the terms and conditions of service of the employees of the University;

(x) to appoint committees and to delegate to them such powers of the Senate as it may deem fit;

(xi) to make Statutes regulating the method of election to the authorities of the University and the Procedure at the meeting of the Senate, the Syndicate and other authorities of the University and the quorum of members required for the transaction of business by the authorities of the University other than the Senate; and

(xii) to perform such other functions as are assigned to it by this Act or the Statutes.

18. *Meeting of the Senate.*—(1) The Senate shall meet at least twice a year on dates to be fixed by the Vice-Chancellor. One of such meetings shall be called the annual meeting. The Senate may also meet at such other times as it may, from time to time, determine.

(2) One-fifth of the total number of members of the Senate shall be the quorum for a meeting of the Senate, provided that such quorum shall not be required for a Convocation of the University or a meeting of the Senate held for the purpose of conferring degrees, titles, diplomas or other distinctions.

(3) The Vice-Chancellor may, whenever he thinks fit and shall, upon a requisition in writing signed by not less than the number of members of the Senate forming the quorum under sub-section (2), convene a special meeting of the Senate. At a special meeting convened on a requisition, no subject other than that shown in the requisition, shall be considered.

19. *The Syndicate.*—The Syndicate shall consist of the following members, namely :—

*Class I—Ex-Officio Members :*

- (1) The Vice-Chancellor ;
- (2) Pro-Vice-Chancellor ;
- (3) Secretary to Government, Education Department ;
- (4) Director of Collegiate Education.

*Class II—Other Members :*

(a) Four members elected from among themselves by the Principals of Colleges in which instruction is given to a degree standard of whom three shall be from private colleges and one from Government Colleges ;

(b) Four members elected from among themselves by the Senate of whom at least one shall be a person not connected with the profession of teaching ;

Provided that no employee of the University shall be eligible for election from the Senate to the Syndicate ;

(c) Two Deans elected by the Deans of Faculties from among themselves ;

(d) One member nominated by the Chancellor for such period as he may determine.

20. *Term of office of members of Syndicate.*—Members of the Syndicate, other than ex-officio members, shall hold office for a period of three years from the date of their election, nomination or appointment :

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

21. *Powers of the Syndicate.*—Subject to the provisions of this Act and the Statutes, the Executive Authority of the University including the general superintendence and control over the institutions of the University shall be vested in the Syndicate; and subject likewise, the Syndicate shall have the following powers, namely:—

- (a) to affiliate colleges in accordance with the conditions prescribed in the Statutes;
- (b) to make Ordinances and to amend or repeal the same;
- (c) to propose Statutes for the consideration of the Senate;
- (d) to hold, control and administer the properties and funds of the University;
- (e) to direct the form, custody and use of the common seal of the University;
- (f) to constitute a Board of Inspection for the purpose of inspection of colleges, hostels and other institutions;
- (g) to prescribe the qualifications of teachers,—
  - (i) in the Colleges; and
  - (ii) in the institutions maintained by the University;
- (h) to appoint teachers and other employees of the University;
- (i) to suspend and dismiss teachers and other employees of the University, after giving them reasonable notice, provided that the employee so punished shall have a right of appeal to a Tribunal appointed by the Chancellor whose decision shall be final and binding;
- (j) to fix the emoluments and prescribe the duties and the conditions of service of teachers and other employees in private colleges;
- (k) to charge and collect such fees as may be prescribed by the Ordinances;
- (l) to award fellowships, scholarships, studentships, bursaries, medals and prizes and to organise exhibitions in accordance with the provisions of this Act and the Statutes and the Ordinances;
- (m) to exercise supervision and control over the residence and discipline of students;
- (n) to frame the financial estimates of the University and submit them to the Senate in accordance with the provisions of the Statutes made in this behalf;

(e) to prescribe the course of study after consultation with the Boards of Studies and Faculties concerned ;

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

(g) 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 ;

(h) to prescribe, in consultation with the Faculties concerned, the qualifications for admission of students to the various courses of study and examinations and the conditions under which exemptions may be granted ;

(i) to appoint members to the Boards of Studies, in consultation with the Faculties concerned ;

(j) to appoint examiners and to fix their remuneration ;

(k) to exercise such other powers and perform such other duties as may be prescribed by this Act, the Statutes and the Ordinances ;

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

(m) to arrange for and direct inspection of affiliated colleges recognised institutions and hostels ; to issue instructions for maintaining their efficiency and for ensuring proper conditions of employment of members of staff and payment of adequate salaries ; in case of disregard of such instructions to recommend to the Senate to modify the conditions of affiliation or recognition or take such other steps as it deems proper in that behalf ; and

(n) to see that a written contract governs the relationship between the teachers and management of private institutions.

22. *Election of members to the Senate and the Syndicate.*—The election of members to the Senate and to the Syndicate shall be conducted on the principle of proportional representation by means of the single transferable vote in accordance with the Statutes framed in this behalf.

23. *The Academic Council.*—The Academic Council shall consist of the following members, namely :—

(a) Vice-Chancellor ;

(b) Pro-Vice-Chancellor ;

(c) Director of Public Instruction ;

(d) Director of Collegiate Education ;

(e) Director of Technical Education ;

(f) Deans of Faculties ;

(g) Heads of University Departments of Study ;

(h) Fifteen Principals other than Deans of Faculties of Colleges presenting candidates for degree examination nominated by the Vice-Chancellor on a principle of rotation ;

(i) Ten members co-opted by the Academic Council to make up for representations otherwise not available.

24. *Powers and duties of the Academic Council.*—(1) The Academic Council shall be the Academic Authority of the University and shall subject to the provisions of this Act and the Statutes and the Ordinances, have the control and general regulation of the standards of instruction, education and examinations within the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

(2) Subject to the provisions of this Act and the Statutes and Ordinances, the Academic Council shall have the following powers, namely:—

(a) to make regulations and amend or repeal the same ;

(b) to advise the Senate and the Syndicate on all academic matters ;

(c) to make proposals to the Senate and the Syndicate for the institution of lectureships, readerships, professorships or other teaching posts and in regard to the duties and emoluments thereof ;

(d) to make regulations regarding the special courses of study or division of subjects in University colleges and laboratories and affiliated colleges ;

(e) to make regulations for the encouragement of co-operation and reciprocity among University colleges and laboratories and affiliated colleges with a view to promoting academic life ;

(f) to make regulations regarding courses of study, examinations and the conditions on which students of University colleges and laboratories and of affiliated colleges shall be admitted to examinations of the University ;

(g) to constitute Faculties in Arts, Science, Law, Medicine, Engineering, Technology, Agriculture, Commerce, Indian and other languages, Indian system of Medicine, Fine Arts, Veterinary Science, Philosophy, Mining, Fisheries, Adult Education, Extension Service, Sports, Forestry and such other subjects as may be prescribed ;

(h) to make proposals to the Syndicate for the framing of Ordinances for the management of University colleges and laboratories, libraries, museums and institutes of research, hostels instituted by the University and other institutions established by the University ;

(i) to recommend to the Senate schemes for the constitution or reconstitution of departments of teaching ;



(f) to advise the Syndicate on the promotion of research in the University;

(g) to receive and to call for and to consider reports from the Syndicate reviewing the instruction and teaching of the University and the research work done in the University; and

(h) to appoint a standing committee of which not less than one-third shall be members of the Academic Council who are principals or teachers of affiliated colleges and to delegate to it such of its powers as may deem fit.

25. *Term of office of Academic Council.*—Members of the Academic Council nominated or co-opted to the Council shall hold office for a period of three years from the date of nomination or co-option, as the case may be, and shall be eligible for renomination or being co-opted again.

26. *Faculties.*—(1) The University shall include Faculties of Arts, Science, Engineering, Oriental Studies, Fine Arts, Commerce, Technology, Medicine, Forestry, Fisheries, Mining, Education, Veterinary Science, Philosophy, Adult Education and Extension Service and such other Faculties as may be prescribed by the Statutes.

(2) Each Faculty shall comprise such department of teaching as may be prescribed by Ordinances.

(3) The constitution of the Faculties shall be prescribed by the Statutes and the powers and the functions of the Faculties shall be prescribed by the Regulations.

27. *Deans of Faculties.*—(1) There shall be a Dean for each Faculty who shall be nominated by the Vice-Chancellor.

(2) The Dean shall hold office as a Dean for such term as may be prescribed by the Statutes.

28. *The Boards of Studies.*—(1) There shall be Boards of Studies attached to each department of study in the University.

(2) The constitution and powers of the Board of Studies shall be prescribed by the Ordinances.

29. *Institutions affiliated to the University.*—(1) All colleges existing within the jurisdiction of the University at the commencement of this Act shall stand affiliated to the University.

(2) The Government may at any time transfer to the University any institution, subject to such terms and conditions as they may deem fit to impose as regards its future maintenance and control and the University may accept such transfer and thereafter it shall abide by such terms and conditions.

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

(a) the powers and duties of the officers of the University in so far as these are not provided for herein;

(b) the constitution, powers and duties of the authorities of the University in so far as these are not provided for herein;

(c) the procedure for election of members to the Senate, the Syndicate, and other authorities of the University and all such other matters relating to these bodies, as may be necessary or desirable to provide;

(d) the degrees, diplomas, titles, certificates and other academic distinctions to be awarded by the University;

(e) the withdrawal or cancellation of degrees, diplomas, titles, certificates and other academic distinctions;

(f) the maintenance of a register of registered graduates;

(g) the holding of Convocation to confer degrees;

(h) the conferment of honorary degrees;

(i) the maintenance of the accounts and the preparation and passing of the annual budget of the University;

(j) the fixation of the scales of pay and the conditions of service of teachers of the University; and

(k) all such other matters as are required or authorised by this Act to be prescribed by means of Statutes.

31. *Procedure for making Statutes.*—(1) The Senate may take into consideration the draft of any Statute either of its own motion or as proposed by the Syndicate.

(2) Where, either of its own motion or as proposed by the Syndicate a draft Statute has been placed before the Senate for its consideration, the Senate may pass the Statute with or without amendments, or reject it, or refer it to the Syndicate for resubmission together with any amendments that the Senate may suggest:

Provided that before any Statute is passed affecting the powers or duties of any officer, or the constitution, powers or duties of any authority of the University, the opinion of the Syndicate and a report from the officer or authority concerned shall have been taken into consideration by the Senate.

(3) All Statutes passed by the Senate shall be submitted to the Chancellor, and the Chancellor may sanction, disallow or remit the same for further consideration.

(4) No statute, or amendment or repeal of an existing Statute made by the Senate shall have effect until it has been assented to by the Chancellor.

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

- (a) the courses of study and the conduct of examinations;
- (b) the admission of students to the various courses of study and to the examinations;
- (c) the levy of fees in colleges and other institutions maintained by the University;
- (d) the residence and discipline of students;
- (e) the qualifications of teachers;
- (f) the appointment and the prescription of duties of Board of Studies and Examiners;
- (g) the scales of pay and the terms and conditions of service of employes of the University other than teachers of the University; and
- (h) All such other matters as may, in accordance with the provisions of this Act and the Statutes, be prescribed by Ordinances.

33. *Procedure for making Ordinances.*—(1) All Ordinances made by the Syndicate shall have effect from such date as the Syndicate may direct; but every Ordinance so made shall be submitted, as soon as may be, to the Chancellor and the Senate, and shall be considered by the Senate at its next succeeding meeting. The Senate shall have power by a resolution passed by a majority of not less than two-thirds of the members present at such meeting, to cancel or modify any such Ordinance.

(2) The Chancellor may direct that the operation of any Ordinance shall be suspended until such time as the Senate has had an opportunity of considering the same.

(3) The procedure to be followed in making, amending or repealing Ordinance in so far as these are not provided in this section, shall be prescribed by the Statutes.

34. *Regulations.*—(1) The Academic Council may make Regulations consistent with this Act, the Statutes and the Ordinances to carry out the duties assigned to it thereunder.

(2) All such Regulations shall have effect from such date as the Academic Council may direct; but every Regulation so made shall be submitted to the Senate for its consideration at its next succeeding meeting.

(3) The Senate shall have power, by a resolution passed by a majority of not less than two-thirds of the members present at such meeting to cancel or modify any such Regulation.

35. *Rules and Bye-laws.*—(1) The Syndicate shall have power to make rules and bye-laws not inconsistent with the provisions of this Act.

the Statutes, the Ordinances and the Regulations for the guidance and working of Boards and Committees and other bodies constituted under the provisions of this Act or the Statutes or the Ordinances or the Regulations and for regulating the procedure and conduct of business at meetings of any authority of the University other than the Senate.

(2) All such rules and bye-laws shall have effect from such date as the Syndicate may direct; but every such rule or bye-law shall be submitted as soon as may be to the Senate for its consideration at its next succeeding meeting.

(3) The Syndicate shall have power by a resolution passed by a majority of not less than two-thirds of the members at such meeting to cancel or modify any such rule or bye-law.

36. *University Fund.*—(a) All grants made by the Government from time to time, and all sums paid or endowments made by private persons, or local authorities for the purposes of the University, together with all fees received and rents and profits and other income derived from the properties and funds vested in the University, shall form a fund styled "the University Fund" which shall be at the disposal of University to be employed for the purposes and in the manner mentioned in this Act and in the Statutes and the Ordinances.

(b) The University Fund shall be kept in the Government Treasury.

37. *Grants.*—(1) The University shall receive as grants for its maintenance such sums as may be fixed by the Government each year.

(2) The Government may pay to the University such grants as may be decided upon by the Government for the purpose of expansion of its academic and research functions and for the purpose of assisting colleges affiliated to the University.

38. *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 accounts when audited shall be published by the Syndicate in the Gazette, and copies thereof shall, together with copies of the audit report, be submitted to the Senate and the Government.

(3) The Syndicate shall also prepare three months before the close of the financial year the financial estimates for the ensuing year.

(4) The annual accounts and the financial estimates shall be considered by the Senate at its annual meeting, and the Senate may pass resolutions with reference thereto and communicate the same to the Syndicate which shall take action in accordance therewith.

39. *Annual Report.*—(1) The annual report of the University shall be prepared by the Syndicate and shall be submitted to the Senate on

or before such date as may be prescribed by the Statutes and shall be considered by the Senate at its next annual meeting.

(2) The Senate may pass resolutions thereon and communicate the same to the Syndicate.

(3) The Syndicate shall inform the Senate of the action taken by it and a copy of the report with a copy of the resolutions thereon, if any, of the Senate shall be submitted to the Government for information.

\* 40. *Powers of Government.*—(1) The Government shall appoint auditors of the accounts of the University and the institutions under the management of the University.

(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 a duplicate copy thereof to the Government.

(5) The auditors shall specify in the report all cases of irregular, illegal or improper expenditure or of failure to recover money or other property due to the University or of 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) University shall forthwith remedy any defect or irregularity pointed out by the auditors and report the same to the Government.

(8) 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 equipment, and of any institution maintained, recognised or affiliated to, the University, and also of the work conducted by the University and to cause an inquiry to be made in respect of any matter connected with the University:

Provided that the Government shall in every case give notice to the University of its intention to cause such inspection or inquiry to be made and the University shall be entitled to be represented thereat.

(9) The Government shall communicate to the Syndicate the results of such inspection or inquiry and may, after ascertaining the

opinion of the Syndicate, thereon, convey its views to the Senate and to the Syndicate.

(10) The Government may, after considering the views of the Senate and the Syndicate thereon, advise the University upon the action to be taken.

(11) The Syndicate shall report to the Government the action, if any, which is proposed to be taken, or has been taken, upon the results of such inspection or inquiry and such report shall be submitted with the opinion of the Senate thereon and within such time as the Government may direct.

(12) Where the Senate or the Syndicate does not, within a reasonable time taken action to the satisfaction of the Government, the Government may after considering any explanation furnished or representation made by the Senate or the Syndicate issue such directions as they may think fit, and the Senate and the Syndicate shall comply with such directions.

41. *Conditions of service.*—(1) Save as otherwise provided by or under this Act, every salaried officer and teacher of the University shall be appointed under a written contract.

(2) The contract shall be lodged with the Registrar and a copy thereof shall be furnished to the officer or teacher concerned.

(3) Any dispute arising out of a contract between any officer or teacher of the University and the University shall on the request of the officer or teacher concerned be referred to a Board of Arbitration consisting of one member appointed by the Syndicate, one member nominated by the Government not below the rank of the District Judge, who shall be the chairman and a nominee of the officer or teacher concerned.

(4) The award of the Board shall be final and no suit shall lie in any Civil Court in respect of the matter decided by the Board.

(5) Every request referred to in sub-section (3) shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1910, and provisions of that Act shall apply accordingly.

42. *Conditions of service of private teachers.*—The provisions in section 41 shall govern the appointment of teachers in private colleges subject to the condition that a nominee of the management shall also be included in the Board, in lieu of the representative of the Syndicate.

43. *Pension, Insurance and Provident Fund.*—The University shall make adequate provisions for the benefit of its officers, teachers and other servants under their control and the teachers and other servants employed in private colleges in matters of insurance and pension and provident fund or for other benefits as it may deem fit in such manner as may be prescribed by the Statutes.

44. *Miscellaneous.*—(1) No act or proceedings of the Senate, the Syndicate, the Academic Council or other body constituted under this Act or the Statutes or the Ordinances or the Regulations shall be deemed to be invalid merely by reason of any vacancy in the body doing or passing it at the time any such act or proceeding is done or passed.

(2) The appointment of the Vice-Chancellor, the Pro-Vice-Chancellor and the Registrar shall be notified in the Gazette.

(3) The Statutes, Ordinances, Regulations, Rules and Bye-laws passed in accordance with the provisions of this Act shall be published in the Gazette.

(4) The Syndicate shall forward to the Government within one month of the date of any meeting of the Senate or the Syndicate, copies of the proceedings thereof.

(5) Any member of any authority or body of the University may resign his office by letter addressed to the Registrar.

(6) Any member of any authority or body of the University shall cease to be a member on his being convicted by a court of law of an offence involving moral delinquency.

(7) When any vacancy occurs in the office of a member other than an *ex-officio* member of any authority or body of the University before the expiry of the term of office of such member, the vacancy shall be filled up as soon as conveniently may be by election, nomination, appointment or co-option, as the case may be, and the term of that member shall be that the member in whose place he has been elected, nominated, appointed or co-opted would have held it if the vacancy had not occurred :

Provided that if the vacancy be of an elected member of the Senate and occurs within six months preceding the date on which the term of office of such office expires the vacancy shall not be filled.

45. *Dispute as to constitution of University authority or body.*—(1) If any question arises regarding the interpretation of any provision of this Act or of any Statute, Ordinance, Regulation, Rule or Bye-law or as to whether a person has been duly elected, appointed, nominated or co-opted 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 twenty-five members of the Senate so require;

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

46. *Protection of acts and orders.*—All acts and orders 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

damages claimed from the University or its authorities, bodies or officers for anything purporting to be done in pursuance of this Act or the Statutes, Ordinances, Regulations, Rules or By-laws made thereunder.

47. *Appointment of first Vice-Chancellor.*—The first Vice-Chancellor shall be appointed by the Chancellor on a salary to be fixed by him for a period not exceeding three years and on such other conditions as he thinks fit.

48. *Appointment of the first Registrar.*—Notwithstanding anything contained in section 13, the first Registrar shall be appointed by the Chancellor on a salary to be fixed by him for a period of two years and on such other conditions as he thinks fit.

49. *Appointment of the first University staff.*—Notwithstanding anything contained in this Act, the Chancellor shall have power to appoint such officers and servants of the University as may be necessary for ensuring the working of the University.

50. *Nomination of first University authorities.*—Notwithstanding anything contained in this Act, the first set of all the authorities of the University shall be nominated by the Chancellor for a period of two years from the date of nomination or till the constitution of those authorities in accordance with the provisions of this Act whichever is earlier.

51. *Colleges and other institutions within the jurisdiction of the University.*—(1) All colleges and other educational institutions within the Cannanore, Kozhikode, Palghat and Trichur districts of the State which immediately before the commencement of this Act were recognised by or were affiliated to the University of Kerala as institutions providing courses of study for admission to examinations of that University for degrees, diplomas and other academic distinctions shall be deemed to be institutions recognised by or affiliated to the University of Calicut under this Act and the provisions of this Act shall apply accordingly.

(2) Any student of any college within the area referred to in sub section (1) and affiliated to the University of Kerala immediately before the commencement of this Act shall be permitted to complete his course under the University of Kerala, and the University of Calicut shall provide for the instruction of such students in accordance with the courses of study in the University of Kerala and shall comply with such directions as may be given to it by the University of Kerala in respect of those students.

52. *Transfer of service of certain employees from the University of Kerala to the Calicut University.*—(1) Every person who immediately before the commencement of this Act was in the employment of the University of Kerala in the University Centre at Calicut shall as from the said date



become an employee of the University of Calicut and subject to the provisions of sub-section (2) cease to be an employee of the University of Kerala.

(2) As soon as may be, after the date of the commencement of this Act, the Government may, after consulting the Vice-Chancellors of the University of Kerala and the University of Calicut, direct, by general or special order that such of the employees of the University of Kerala or the University of Calicut as are specified in such order shall stand allotted to serve in connection with the affairs of the University of Calicut or the University of Kerala with effect from such date as may be specified in such order :

Provided that no such order shall be issued in respect of any such person without his consent for such allotment.

(3) With effect from the date specified in the order under sub-section (2), the persons specified in such order and allotted to serve in connection with the University of Calicut shall become employees of the University of Calicut and shall cease to be employees of the University of Kerala.

(4) Every person who becomes an employee of the University of Calicut under sub-section (1) or sub-section (2) shall hold office under that University by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension or gratuity, if any, and other matters as he would have held the same on the date of commencement of this Act or the dates specified in the order under sub-section (2), as the case may be, if this Act had not been passed.

(5) The liability to pay pension and gratuity to the persons referred to in sub-sections (1) and (2) shall be the liability of the University of Calicut.

53. *Transfer of accumulation in Provident Fund and other like funds.*—(1) The sums in the credit of the Provident Fund accounts of the persons referred to in sub-section (1) of section 52 as on the date of commencement of this Act and the persons referred to in sub-section (2) of that section as on the date specified in the order under that sub-section shall be transferred to the University of Calicut and the liability in respect of the said Provident Fund accounts shall be the liability of the University of Calicut.

(2) There shall be paid to the University of Calicut out of the accumulation in the superannuation fund and other like funds, if any, of the University of Kerala such amounts as have been credited to the superannuation fund and other like funds, if any, on behalf of the persons referred to in sub-sections (1) and (2) of section 52.

(3) The amount paid under sub-section (2) shall form part of the superannuation fund or other like funds, if any, that may be

established by the University of Calicut for the benefit of its employees.

54. *Apportionment of funds and assets of the University of Kerala.*—A Committee consisting of the Vice-Chancellor of the University of Kerala, the Vice-Chancellor of the University of Calicut and the Secretary to the Government of Kerala, Finance Department, shall examine the question of transfer of funds and assets, other than those referred to in sub-section (3) of section 55, from the University of Kerala to the University of Calicut and shall recommend to the Government the action to be taken in the matter, and the decision of the Government on such recommendation shall be final.

55. *Kerala Act XIV of 1957 not to apply.*—(1) Subject to the provisions of this section, the Kerala University Act, 1957 (XIV of 1957) shall with effect from the date of commencement of this Act cease to apply in respect of the areas within the jurisdiction of the University of Calicut.

(2) Notwithstanding anything contained in sub-section (1) all Statutes and Ordinances made under the Kerala University Act, 1957 (XIV of 1957) and in force on the date of commencement of this Act shall in so far as they are not inconsistent with this Act continue to be in force in the said area until they are replaced by the Statutes and Ordinances to be made under this Act.

(3) All property whether movable or immovable including lands, buildings, equipment, books and library and all rights of whatever kind owned by or vested in or held in trust immediately before the date of commencement of this Act by the University of Kerala at the University Centre at Calicut as well as all liabilities legally subsisting against the University of Kerala at that centre shall stand transferred to and vest in the University of Calicut.

(4) Nothing in this section shall be held to prejudice or affect the application of sections 4 and 23 of the Interpretation and General Clauses Act, 1125 (VII of 1125).

56. *Removal of difficulties.*—(1) If any difficulty arises as to the first constitution or reconstitution of any authority of the University or otherwise in giving effect to the provision of this Act the Government may by order do anything which appears to them necessary for purpose of removing the difficulty.

(2) If any situation not specifically provided for in this Act or any Statute, Ordinance or Regulation made thereunder arises, the Syndicate may make such Ordinances as may be necessary to deal with the situation and any such Ordinance shall be immediately reported to the Government and shall also be placed before the next ordinary meeting of the Senate.

(3) Every order issued under sub-section (1) shall be laid as soon as may be after it is issued, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before expiry of the session in which it is so laid or the session immediately following the Legislative Assembly agrees in making any modification in the order or the Legislative Assembly agrees that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

57. *Repeal.*—(1) The Calicut University Ordinance (5 of 1968) is hereby repealed.

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