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Government of Kerala
കേരള സർക്കാർ
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KERALA GAZETTE
കേരള ഗസറ്റ്
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GOVERNMENT OF KERALA

Law (Legislation-H) Department

NOTIFICATION

No. 15194/Leg. H1/2010/Law. *Dated, Thiruvananthapuram, 24th January, 2011 / 4th Magha, 1932.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 22nd day of January, 2011.

By order of the Governor,

K. MADHUSUDANAN NAIR,
Special Secretary (Law).

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33/352/2011/DTP.

ACT 4 OF 2011

THE KERALA UNIVERSITY OF HEALTH SCIENCES ACT, 2010

An Act to establish and incorporate a University of Health Sciences in the State of Kerala and to provide for matters connected therewith or incidental thereto.

Preamble.—WHEREAS, it is expedient to establish and incorporate a University of Health Sciences for the purpose of ensuring proper and systematic instruction, teaching, training and research exclusively in Modern Medicine, Homoeopathy and Indian Systems of Medicine including Ayurveda, Siddha, Yoga, Naturopathy, Unani and allied sciences in the State of Kerala and to have uniformity in the various academic programmes in medical and allied subjects in the State, and to provide for matters connected therewith or incidental thereto;

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

CHAPTER I
PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kerala University of Health Sciences Act, 2010.

(2) It shall be deemed to have come into force on the 7th day of December, 2009.

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

(a) "Academic Services Unit" means a University department of study and research including schools and centres, Academic Staff College, University Computing Resource Centre, Library, Instrumentation or diagnostic facility or any other unit providing specialised services for the promotion of any of the objectives of the University;

(b) "Affiliated College or Institution" means a college or institution imparting education in health and allied sciences which is affiliated to the University in accordance with the provisions of this Act and the Statutes;

(c) "Aided College or Institution" means a private college or institution which is entitled to have financial assistance from the Government ;

(d) "Approved Institutions" mean recognised institutions such as hospital, health centre or such other institutions recognised by the University as an institution in which a person may undergo training, if any, required by a course of study before the conferring of any degree, diploma or other academic distinction of the University;

(e) "Authorities" mean the authorities of the University as provided in section 19 of this Act;

(f) "Autonomy" means a privilege of the University conferred by regulations permitting a college, institution or a department of the University to conduct academic programmes and examinations, develop syllabus for the respective subjects and issue certificates of passing the examinations etc., and having full academic, administrative and financial autonomy, subject to the provisions of this Act and Statutes;

(g) "Autonomous College", "Autonomous Institution" or "Autonomous Department" means a college, institution or department to which autonomy is granted and is designated to be so by Statutes;

(h) "Central or State Councils" mean various Councils of medical and allied sciences constituted by the Central Government or State Government such as Medical Council, Nursing Council, Pharmacy Council and other Councils;

(i) "Collaboration" means collaborative academic activity of the University with other universities, academic institutions (local, regional, national or international), research institutions and organisations;

(j) "College" means an institution imparting education in medical and allied sciences, conducted by the University or affiliated to the University situated in the State of Kerala;

(k) "Constituent college" means a college maintained and managed by the University;

(l) "Educational agency" means any person or body of persons who or which establishes or maintains one or more private college or educational institutions;

(m) "Government" means the Government of Kerala;

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

(o) "Hostel" means a unit of residence for the students of the University maintained or recognised by the University in accordance with the provisions of this Act or Statutes;

(p) "Indian Systems of Medicine" includes Ayurveda, Yoga, Naturopathy, Siddha, Unani and such other disciplines as may be notified by the Government;

(q) "Management" means the trustees, or the managing or governing body by whatever name called, of any trust or society registered under the relevant laws, responsible for management and administration of the educational institutions or colleges and in relation to any college or institution established or maintained by the Central Government or State Government or a society or agency, established by the Central Government or State Government or a local authority, such as panchayath, municipality, it means, respectively, the Central Government or the State Government or the society or agency, or the concerned local authority, such as the panchayath, municipality as the case may be;

(r) "Health Sciences" mean scientific medicine in all its branches concerning preventive, promotive, curative and rehabilitative health of human beings including Modern Medicine, Dental Sciences, Pharmacy, the Indian Systems of Medicine in all its branches including Ayurveda, Siddha, Yoga, Naturopahty, Unani and Homoeopathy and allied sciences including those concerned with interdisciplinary areas related to health, nursing, other medical, para medical and allied subjects and all its branches;

(s) "Prescribed" means prescribed by Statutes, Ordinances or Regulations made by or under this Act;

(t) "Private college" means a college maintained by an educational agency other than the Government or Local Self Government Institutions or the University and affiliated to the University;

(u) "Professional college" means a college or like institution in which instruction is given in any of the subjects that comes under the University including Modern Medicine and all its branches, Ayurveda, Homoeopathy, Siddha, Unani, Yoga, Naturopathy, Pharmacy, Nursing, Paramedical and other allied subjects including Medical Laboratory Technology, Physiotherapy, Optometry, Radiology, Audiology, Speech Pathology, Medical Anatomy, Medical Biochemistry, Medical Microbiology etc., or any other subjects as may be notified by the Government;

(v) "Recognised Institution" means an institution of higher learning, research or specialised studies, other than an affiliated college and recognised to be so by the University;

(w) "Scheduled Castes" mean such castes, races or tribes or parts of or groups within castes, races or tribes as are deemed to be Scheduled Castes, in relation to the State of Kerala under article 341 of the Constitution of India;

(x) "Scheduled Tribes" mean such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed to be Scheduled Tribes in relation to the State of Kerala under article 342 of the Constitution of India;

(y) "Statutes", "Ordinances" and "Regulations" mean respectively the Statutes, Ordinances and Regulations of the University;

(z) "Student" means a part-time or full-time student receiving instruction or undergoing house surgency/internship/residency programme or carrying on research in any of the Colleges, University Departments/Schools or recognized institutions;

(za) "Un-aided college or institution" means a private college or institution which is not entitled to have financial assistance from the Government or University;

(zb) "University" means the Kerala University of Health Sciences established under section 3 of this Act;

(zc) "University Grants Commission" means the Commission established under section 4 of the University Grants Commission Act, 1956 (Central Act 3 of 1956).

CHAPTER II

THE UNIVERSITY

3. *Establishment and incorporation of the Kerala University of Health Sciences.*—(1) There shall be established a University by name "the Kerala University of Health Sciences", which shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of the Act, to acquire and hold property, to contract and shall, by the said name sue and be sued.

(2) Notwithstanding anything contained in any other law for the time being in force, the territorial jurisdiction of the University shall extend to the whole of the State of Kerala.

(3) The headquarters of the University shall be at Thrissur.

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

(5) The University may establish study centres at such other places within the State of Kerala with the approval of the Governing Council and at places outside the State of Kerala with the prior approval of the Government.

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

4. *Composition of the University.*—The University shall be composed of the following, namely:—

(A) Institutions of the University which shall include the following:—

(i) School of studies and research in areas as may be decided by the University from time to time;

(ii) Constituent Colleges, mainly focusing on undergraduate and post-graduate teaching directly managed by the University;

(B) Affiliated colleges, both in the Government and private aided or unaided sectors;

(C) Recognised Institutions.

5. *The objects of the University.*—The objects of the University shall be the following, namely:—

(i) to advance and disseminate learning and knowledge in health sciences and allied fields by fostering and promoting medical research;

(ii) to design new courses and curricula based on the advances in the field of health science;

(iii) to regulate the academic standards of the affiliated colleges or institutions;

(iv) to promote preventive curative and rehabilitative aspects of health;

(v) to organise programmes to tackle health problems of the society;

(vi) to give leadership to the medical human resource development in the State;

(vii) to give leadership to the health planning and health policy formulation for the State;

(viii) to give thrust to epidemiological studies, monitoring and surveillance system of the diseases prevalent in the State;

(ix) to act as the nodal agency for linkages with other national and international institutions;

(x) to develop a platform for the dialogue between different systems of health care;

(xi) to explore the possibilities of joint research programmes and integration between different systems of medicine;

(xii) to promote equitable distribution of facilities for education in health and allied sciences;

(xiii) to promote acquisition of knowledge in a rapidly developing and changing society and to continually offer opportunities for upgrading knowledge and imparting training and development of skills in the context of innovations, research and discovery in all fields of human endeavour by establishing educational network related to health sciences with use of modern communication media and technologies appropriate for a learning society;

(xiv) to give more thrust for the development of Indian Systems of Medicine and all its branches and Homoeopathy by encouraging research and other academic activities in the related areas.

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

(i) to provide instruction and training in such branches of learning related to health and allied sciences as the University may deem fit;

(ii) to make provisions for research and for advancement and dissemination of knowledge in health and allied sciences;

(iii) to institute and award degrees, diplomas, certificates and other academic distinctions;

(iv) to hold examinations and to confer degrees and other academic distinctions for persons who shall have pursued approved courses of study in a University, college or an affiliated or recognised college or institution unless exempted therefrom in the manner prescribed and shall have passed the prescribed examinations of the University or shall have carried on research satisfactorily under conditions as may be prescribed and which has been duly evaluated;

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

(vi) to prescribe conditions under which the award of any degree, title, diploma and other academic distinctions may be withheld;

(vii) to withdraw or cancel degree, title, diploma, certificates or other distinctions under conditions that may be prescribed by the Statutes after giving the persons affected a reasonable opportunity to present their case;

(viii) to establish, maintain and administer colleges, schools, centres, hospitals, laboratories and libraries or other institutions necessary to carry out the objectives of the University;

(ix) to prescribe conditions for recognition of institutions for conducting research or other programmes of the University and to grant recognition to institutions satisfying the conditions and to withdraw such recognition;

(x) to establish, maintain and administer hostels and to recognise hostels not managed by the University and to suspend or withdraw such recognition;

(xi) to provide for establishment of campus for serving a group of affiliated colleges and also to provide for and maintain common resource centres in such campuses in the form of libraries, laboratories, computer centres and the like centres of learning;

(xii) to establish centres for conducting research programme and to create research posts and appoint suitable persons to these posts;

(xiii) to create posts of directors, principals, teachers and other non-vacation academic posts required by the University and to prescribe by the Statutes the scales of pay for such posts with the prior approval of the State Government, and to prescribe their qualifications, methods of appointment and to make appointments thereto;

(xiv) to appoint or recognise teachers working in any other University or organisation as teachers of the University for specified period;

(xv) to create non-teaching, skilled, administrative, ministerial and other posts and prescribe through Statutes pay scales for such posts, with prior approval of the State Government and to fix the method of appointment and to make appointments thereto;

Provided that the recruitment to the non-teaching staff other than the officers of the University mentioned in clause 9 shall be through Kerala Public Service Commission.

(xvi) to facilitate mobility of teachers within the University and to other Universities if necessary;

(xvii) to make provision wherever feasible in the University departments, affiliated colleges, recognised institutions, centres and schools, for survey and collection of statistics, data and other particulars relevant to various developmental activities including evaluation of the developmental schemes under the State and Central Plans with the participation of the students as a part of their curricular activities;

(xviii) to control and regulate admission of students for various courses of study in University departments, affiliated colleges, institutions, schools, centres and recognised institutions;

(xix) to designate a department of the University, an affiliated college, institution, school or centre as an autonomous University department or institution or school, as the case may be, in accordance with the guidelines, if any, laid down by the University Grants Commission or Government of Kerala or other Central Council;

(xx) to monitor and evaluate the academic performance of affiliated colleges and recognised institutions for granting continuation of affiliation and periodical accreditation;

(xxi) to inspect, where necessary, affiliated colleges and recognised institutions through suitable machinery established for the purpose, and take measures to ensure that proper standards of instruction, teaching and training are maintained by them and adequate library, laboratory, hospital, faculty and other academic facilities are provided for;

(xxii) to institute awards, fellowships, travelling fellowships, scholarships, studentship, medals and prizes for teachers and students of the University and affiliated colleges;

(xxiii) to make arrangements for promoting welfare of the employees of the University;

(xxiv) to provide for the training and quality improvement of teachers and non-teaching employees;

(xxv) to provide for periodical assessment of the performance of teachers and non-teaching employees of the colleges, institutions, schools, centres and University departments in accordance with the Statutes;

(xxvi) to regulate attendance of the teachers in the premises of the University or college or institutions during teaching hours and beyond teaching hours, as may be prescribed and to prohibit teachers from taking or conducting private tuition or private coaching classes or doing private clinical practice;

(xxvii) to prescribe by Statutes conduct and discipline rules for teaching and non-teaching staff and to ensure the enforcement thereof;

(xxviii) to prescribe a code of conduct for managements of affiliated or recognised colleges or institutions;

(xxix) to establish, maintain and manage, whenever necessary,—

(a) a Printing and Publication Department;

(b) University Extension Boards;

(c) Information Bureaus;

(d) employment guidance bureaus and such other activities as may be necessary and possible to fulfill the objectives of the University;

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

(xxxi) to rescind affiliation granted to the colleges in violation of Statutes of the University;

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

(xxxiii) to recommend to the Government to take over, in the public interest, the management of an affiliated college, institution or autonomous college in case where irregularities or commissions or omissions of criminal nature by the management of such college or institution are prima-facie evident to the committee of enquiry appointed by the University;

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

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

(xxxvi) to exercise control over the students of the University, to secure their health, well being and discipline and to exercise through the affiliated colleges control for similar purposes over the students of affiliated colleges;

(xxxvii) to accept, hold and manage any endowments, donations or funds which may become vested in it for the purposes of the University by grant, testamentary disposition or otherwise, and to invest such endowments, donations or funds in any manner that the University may deem fit and to institute scholarships, medals etc. from such funds subject to the condition that any donation from a foreign country, foreign foundation or any person in such country

or foundation shall be accepted by the University only in accordance with the rules and guidance of the Central Government and State Government;

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

(xxxix) to fix fees and to demand and collect such fees in the manner as may be prescribed;

(xl) to undertake publication of works of merit and research pertaining to health and allied sciences;

(xli) to institute and provide funds wherever necessary for the maintenance of,—

(a) a Students' Advisory Bureau;

(b) an Employment Bureau;

(c) a University Students Union;

(d) University Athletic Clubs;

(e) the National Cadet Corps;

(f) the National Service Scheme;

(g) University Extension Boards;

(h) Students' Cultural and Debating Societies;

(i) a Publication Bureau; and

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

(xlii) to do all such other acts and things or make such other provisions as may be deemed necessary or desirable to further the objects of the University.

CHAPTER III

THE CHANCELLOR, PRO-CHANCELLOR AND OFFICERS OF THE UNIVERSITY

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

(2) The Chancellor, when present, shall preside over the convocation of the University and may issue directions to the Vice-Chancellor to convene the meeting

of any authority of the University for specific purposes, whenever necessary, and the Vice-Chancellor shall submit the minutes of such meeting to the Chancellor for the Chancellor's perusal.

(3) The Chancellor may call for such information and record relating to any affairs of the University and issue such directions thereupon as the Chancellor may deem fit in the interest of the University, and the authorities and officers of the University shall comply with such directions.

(4) The Chancellor may after taking report in writing from the Vice-Chancellor suspend or modify any resolution, order or proceedings of any authority, body, committee or officer, which in the opinion of the Chancellor is not in conformity with this Act, Statutes, Ordinances or Regulations or is not in the interest of the University and the University authority, body, committee and officer shall comply with the same:

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

(5) Where, in the opinion of the Chancellor, the conduct of any elected or nominated or appointed or co-opted member in the bodies of the University is detrimental to the smooth functioning of the University or any authority or body or committee, the Chancellor may, after giving such member an opportunity to offer explanation in writing and after considering such explanation, if any, and being satisfied that it is necessary so to do, suspend or disqualify such member for such period as the Chancellor may deem fit.

(6) (i) The Chancellor shall have the right to cause an inspection to be made by such person or persons or body of persons, as he may direct, of the University, its buildings, hospitals, libraries, museums, workshops and equipments of any college, institution or hostel maintained, administered or recognised by the University and of the teaching and other work conducted by or on behalf of the University or under its auspices and of the conduct of examinations or other functions of the University and to cause an inquiry to be made in like manner regarding any matter connected with the administration or finances of the University;

(ii) The Chancellor shall, in every case, give due notice to the University of his intention to cause an inspection or inquiry to be made and the University shall be entitled to appoint a representative, who shall have the right to be present and to be heard at the inspection or enquiry;

(iii) After an inspection or inquiry has been caused to be made, the Chancellor may address the Vice-Chancellor on the result of such inspection or inquiry and the Vice-Chancellor shall communicate to the Senate or Governing Council the views of the Chancellor and call upon the Senate or Governing Council to communicate to the Chancellor through him its opinion thereon within such time as may have been specified by the Chancellor. If the Senate or Governing Council communicates its opinion within the specified time limit, after taking into consideration that opinion or where the Senate or Governing Council fails to communicate its opinion in time, after the specified time-limit is over, the Chancellor may proceed and advice the Senate or Governing Council upon the action to be taken by it, and fix a time-limit for taking such action;

(iv) The Senate or Governing Council shall, within such time limit as fixed, report to the Chancellor through the Vice-Chancellor the action which has been taken or is proposed to be taken on the advice tendered by him;

(v) The Chancellor may, where action has not been taken by the Senate or Governing Council to his satisfaction within the time-limit fixed and after considering any explanation furnished or representation made by the Senate or Governing Council, issue such directions as the Chancellor may think fit and the Senate or Governing Council and other authority concerned shall comply with such directions;

(vi) Notwithstanding anything contained in the preceding clauses, if at any time the Chancellor is of the opinion that in any matter the affairs of the University are not managed in furtherance of the objectives of the University or in accordance with the provisions of this Act, Statutes and Regulations or that special measures are desirable to maintain the standards of University teaching, examinations, research, administration or finances, the Chancellor may indicate to the Senate or Governing Council through the Vice-Chancellor any matter in regard to which he desires an explanation and call upon the Senate or Governing Council to offer such explanation within such time as may be specified by him. If the Senate or Governing Council fails to offer any explanation within the time specified or offers an explanation which in the opinion of the Chancellor, is not satisfactory, the Chancellor may issue such directions as appear to him to be necessary, and the Senate or Governing Council and any other authority concerned shall comply with such directions;

(vii) The Governing Council shall furnish such information relating to the administration and finances of the University as the Chancellor may, from time to time, require.

(7) (i) The Chancellor shall when an emergency arises have the right to suspend or dismiss any of the authorities of the University and take measures for the interim administration of the University;

(ii) An appeal shall lie to the Chancellor against any order of dismissal passed by the Governing Council or the Vice-Chancellor against any person in the service of the University;

(iii) An appeal under the above clause shall be filed within thirty days from the date of serving the order of dismissal on the persons concerned;

(iv) The Chancellor shall before passing any order on an appeal as above, refer the matter for advice to a tribunal appointed by him for the purpose.

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

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

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

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

8. *The Pro-Chancellor.*— (1) The Minister in charge of Health or Medical Education in Kerala 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 including presiding over of the convocation of the University.

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

(4) The Pro-Chancellor shall also exercise such powers and perform such duties of the Chancellor as the Chancellor may, by order in writing

delegate to the Pro-Chancellor and such delegation may be subject to such restrictions and conditions as may be specified in such order.

9. *Officers of the University.*—(1) The following shall be the officers of the University, namely:—

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor;

(iii) the Registrar;

(iv) the Dean;

(v) the Finance Officer;

(vi) the Controller of Examination;

and such other officers in the service of the University as may be prescribed.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University and ex-officio Chairperson of the Senate, the Governing Council, the Academic Council and Finance Committee and shall preside, in the absence of the Chancellor or Pro-Chancellor, any convocation for conferring degrees.

(3) The Pro-Vice-Chancellor shall be responsible for the duties allotted to him specifically by the Vice-Chancellor with the approval of the Governing Council or under this Act or Statutes and the Pro-Vice-Chancellor shall preside over the meetings of the authorities of the University in the absence of the Vice-Chancellor.

(4) The emoluments and terms and conditions of service of the Vice-Chancellor shall be such as may be determined by the Government.

(5) The other officers of the University shall be appointed in such manner and exercise such powers and perform such duties as provided under this Act and Statutes of the University.

(6) The conditions of service of the other officers of the University shall be such as may be prescribed by Statutes.

10. *Appointment of Vice-Chancellor.*—(1) The Vice-Chancellor shall be appointed by the Chancellor from among the panel of names recommended by the Search Committee consisting of the following members, namely:—

(i) One member nominated by the Chancellor;

(ii) One member elected by the Governing Council; and

(iii) One member nominated by the Chairman of the University Grants Commission.

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

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

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

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

(ii) The first Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Government.

(5) (i) The person appointed as the Vice-Chancellor shall, subject to the terms and conditions of his contract of service hold office for a contract period of five years from the date on which he enters upon office or till he attains the age of seventy years, whichever is earlier.

(ii) The persons appointed as Vice-Chancellor will be eligible for re-appointment for a second term of five years subject to not attaining the maximum age prescribed as above.

(6) In any of the following circumstances, the existence whereof shall solely be judged by the Chancellor, the Chancellor may appoint any suitable person to act as the Vice-Chancellor for a term not exceeding six months in the aggregate,—

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

(ii) where the vacancy occurs in the office of the Vice-Chancellor because of death, resignation or otherwise, and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-sections (1) to (4) above;

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

(iv) where the term of Vice-Chancellor has expired; or

(v) where there is any other emergency.

The person so appointed shall cease to hold such office on the date on which the Vice-Chancellor resumes office or the persons duly appointed as the Vice-Chancellor in accordance with the provisions of sub-sections (1) to (4), assumes office.

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

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

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

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

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

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

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

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

The incumbent Vice-Chancellor shall be given a reasonable opportunity to show cause by the Chancellor before taking recourse for his removal under clause (iv).

11. *Appointment of Pro-Vice-Chancellor.*—(1) The Chancellor, in consultation with the Vice-Chancellor shall appoint a suitable person, who is an eminent medical educationist as the Pro-Vice-Chancellor of the University.

(2) The term of Pro-Vice-Chancellor shall be five years or till he attains the age of sixty-five years, whichever is earlier, provided that a person shall not be appointed as Pro-Vice-Chancellor for more than two terms.

(3) The Pro-Vice-Chancellor shall be a full-time salaried officer of the University, and the pay and allowances admissible to him as well as the terms and conditions of his service shall be such as may be determined by the Government.

(4) When the office of the Pro-Vice-Chancellor falls vacant or when the Pro-Vice-Chancellor is, by reasons of illness or absence or any other cause, unable to perform the duties of his office, the Chancellor, upon the recommendation of the Vice-Chancellor, may appoint a suitable person, among medical educationalists till the Pro-Vice-Chancellor resumes office, or new Pro-Vice-Chancellor duly appointed assumes duties, as the case may be.

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

(2) He shall be entitled to be present, with the right to speak, at any meeting of any other authority or body of the University but, shall not be entitled to vote there unless he is the Chairperson or member of that authority or body. In the event of equality of votes at any meeting of the Senate, the Academic

Council or of any other authority, at which the Vice-Chancellor is the Chairman, he shall have and exercise a casting vote.

(3) The Vice-Chancellor shall have the power to convene meetings of any of the authorities, bodies or committees, as and when he considers it necessary so to do.

(4) The Vice-Chancellor shall ensure that directions issued by the Chancellor are strictly complied with or, as the case may be, implemented.

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

(6) The Vice-Chancellor may defer implementation of a decision taken or a resolution passed by any authority, body or committee of the University if, he is of the opinion that the same is not consistent with the provisions of this Act, Statutes or Regulations or that such decision or resolution is not in the interest of the University and at the earliest opportunity refer it back to the authority, body or committee concerned for reconsideration in its next meeting, with reasons to be recorded in writing. If differences persist, he shall within a week, giving reason, submit it to the Chancellor for decision and inform about having done so to the members of the authority, body or committee concerned. After receipt of the decision of the Chancellor, the Vice-Chancellor shall take the action as directed by the Chancellor and inform the authority, body or committee concerned accordingly.

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

Provided that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer, within thirty days from the date of receipt of the notice of such action, an appeal to the Chancellor.

(8) Where any matter is required to be regulated by Statutes or Regulations but no Statutes or Regulations have been made in that behalf, the Vice-Chancellor may, for the time being, regulate the matter by issuing such directions as the Vice-Chancellor thinks necessary, and shall at the earliest opportunity thereafter, place them before the Governing Council or other authority or body concerned for approval. The Vice-Chancellor may, at the same time place before such authority or body for consideration the draft of Statutes or Regulations required to be made in that behalf.

(9) The Vice-Chancellor shall appoint the University teachers based on the recommendations of the selection committee constituted for the said purpose in such manner as may be prescribed by Statutes and with the approval of the Governing Council.

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

(11) As the Chairperson of the authorities or bodies or committees of the University, the Vice-Chancellor shall be empowered to suspend a member from the meeting of the authority, body or committee for obstructing or stalling the proceedings or for indulging in behaviour unbecoming of a member, and shall report the matter accordingly, to the Chancellor.

(12) The Vice-Chancellor shall place before the Senate and Governing Council a report of the work of the University periodically as provided under the Statutes.

(13) Notwithstanding anything contained in this Act or in the Statutes or Regulations made or deemed to have been made thereunder, the Vice-Chancellor may if he is satisfied that the number of examiners in the panel of examiners approved by the Governing Council for the conduct of an examination is not sufficient for the conduct of the examination and that approval of another panel of examiners by the Governing Council will entail delay in the conduct of such examination, nominate such additional number of examiners as may be necessary for the conduct of such examination. Any person nominated by the Vice-Chancellor under this sub-section shall be deemed to be an examiner included in the panel approved by the Governing Council.

(14) The Vice-Chancellor shall appoint the examiners and question paper-setters for the conduct of examinations from the panel approved by the Board of examinations.

(15) The Vice-Chancellor shall constitute the vigilance squad for the inspection of University examinations.

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

13. *Appointment, Powers and functions of the Dean.*—(1) There shall be a Dean for a Faculty, who shall be a teacher in the concerned subject not below the rank of Professor and with teaching experience and such other qualifications as may be prescribed in the Statutes. The Dean shall be an Academic Officer of the University concerned and responsible for implementation of the academic policies approved by the Academic Council in respect of academic development, maintenance of standards of teaching and training of teachers within the concerned Faculty.

(2) The Dean of every Faculty shall be nominated by the Vice-Chancellor from among the members of the Faculty.

(3) The Dean shall convene meetings of the Faculty, as and when required, in consultation with the Vice-Chancellor and shall preside over the same. The Dean shall formulate the policies and development programmes of the Faculty and present the same to appropriate authorities for their consideration.

(4) The Dean shall be responsible for the academic development of the Faculty and shall ensure proper implementation of the decisions of the Senate, Governing Council, Academic Council and the Board of Examinations in respect of the concerned Faculty and the decisions of the Faculty and the Boards of Studies under the Dean's purview.

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

(6) The Dean shall enquire, on being directed by the Academic Council, into any malpractice related to any academic programmes under the concerned Faculty conducted by a University department, affiliated or constituent college or school or centre or recognised institution and report the finding to the Academic Council.

(7) The Dean shall prepare proposals for the award of fellowships, scholarships and other distinctions in the concerned Faculty for submission to the Academic Council.

14. *Appointment, Powers and functions of the Registrar.*—(1) The Registrar shall be appointed by the Vice-Chancellor with the approval of the Governing Council on the recommendation of a Selection Committee constituted for the purpose as may be prescribed by Statutes.

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

(3) Appointment of the Registrar shall be for a term of five years and he shall be eligible for re-appointment. The qualifications and experience for the purpose of selection of the Registrar shall be as approved by the State Government. The term of appointment of Registrar shall be five years or till he attains the age of sixty years, whichever is earlier, provided that a person shall not be appointed as Registrar for more than two terms.

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

(5) The Registrar shall act as Secretary of the Senate, Governing Council, Academic Council and such other authorities, bodies and committees as provided by or under this Act and Statutes.

(6) The Registrar shall be the appointing and disciplinary authority of the employees of the University of the rank of Assistant Registrar and below, other than the teachers. An appeal by a person aggrieved by the decision of the Registrar may be preferred, within thirty days from the date of communication of such decision, to the Vice-Chancellor.

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

(8) The Registrar shall be the custodian of records, the common seal and such other property of the University as the Senate or the Governing Council may, entrust with him.

(9) The Registrar shall conduct elections in different bodies of the University as per the programme approved by the Vice-Chancellor.

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

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

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

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

(2) The appointment of the Controller of Examinations shall be for a term of five years or till he attains the age of sixty years, whichever is earlier, provided that a person shall not be appointed as Controller for more than two terms. The qualifications and experience for the purpose of selection of the Controller shall be such as may be prescribed by Statutes.

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

(4) The Controller shall be the Member-Secretary of the Board of Examinations and of the committees appointed by the Board, except the committees constituted for appointment of paper-setters and examiners.

(5) Without prejudice to the generality of the provisions of sub-section (2), the Controller shall be responsible for making all arrangements necessary for holding examinations and tests and declaration of results.

(6) The Controller shall exercise such other powers and perform such other duties as may be prescribed by Statutes or assigned to the Controller, from time to time, by the Board of Examinations.

16. *Appointment, Powers and functions of Finance Officer.*—(1) (i) The Finance Officer shall be the principal Finance, Accounts and Audit Officer of the University. The Finance Officer shall be a full-time salaried officer and shall work directly under the control of the Vice-Chancellor;

(ii) The Finance Officer shall be appointed by the Vice-Chancellor either by direct recruitment or on deputation and in case of direct recruitment, the Finance Officer shall be appointed on the recommendation of the selection committee constituted for this purpose, as may be prescribed by the Statutes;

(iii) The qualifications, salary and other conditions of service of the Finance Officer appointed on direct recruitment shall be such as may be prescribed by the Statutes.

(2) The Finance Officer shall be the Convener of the Finance Committee and shall have the right to be present, speak and otherwise take part in the proceedings of the Senate or Governing Council on matters which have financial implications but shall not be entitled to vote.

(3) The Finance Officer shall maintain minutes of the meetings of Finance Committee and the sub-committees appointed by the Finance Committee.

(4) The Finance Officer shall be responsible for preparation and presenting of the annual budget, Statement of accounts and audit reports, to the Finance Committee and the Governing Council.

(5) The Finance Officer shall exercise such powers and perform such duties as may be prescribed by the Statutes.

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

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

Chapter IV

AUTHORITIES OF THE UNIVERSITY

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

(i) the Senate;
(ii) the Governing Council;
(iii) the Academic Council;
(iv) the Board of Examinations;
(v) the Board of Studies;
(vi) the Faculties;
(vii) the Finance Committee;
(viii) the Planning Committee;
(ix) the Research Council;
(x) the University Quality Assurance Council;
(xi) the University Ethics Committee;
(xii) the Students Council; and

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

20. *The Senate.*—(1) 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 Secretary to Government, Health Department in-charge of Medical Education;

(vi) the Secretary to Government, Higher Education Department or an officer not below the rank of Joint Secretary nominated by him;

(vii) the Secretary to Government, Finance Department or an Officer not below the rank of Joint Secretary nominated by him;

(viii) the Director of Medical Education;

(ix) the Director of Health Services;

(x) the Director of Ayurveda Medical Education;

(xi) the Director of Indian Systems of Medicine Department;

(xii) the Director or Principal and Controlling Officer in Government Homoeopathic Medical Colleges in the State;

(xiii) the Director of Homoeopathy;

(xiv) a member of the Kerala State Higher Education Council nominated by the Chairman of the Council;

(xv) the Chairman of the University Students Union;

(xvi) the Registrar;

(xvii) All Deans of the Faculties of the University.

Nominated Members

(i) Five Heads of University Departments or Schools who are not otherwise members of the Senate, to be nominated by the Chancellor, in the order of seniority by rotation, including at least one from Indian Systems of Medicine and one from Homoeopathic Medicine;

(ii) Six Principals comprising of one Principal from affiliated Government Medical Colleges, one Principal from Government Ayurveda Medical Colleges, one Principal from Government Homoeopathic Medical Colleges, one Principal from Government Dental Medical Colleges, one Principal from Government Nursing Colleges and one Principal/Professor from Government Pharmacy Colleges/Government Paramedical Colleges to be nominated by the Government;

(iii) Nine persons to be nominated by the Government from among persons having knowledge or interest in Health Sciences, out of which five will be from Modern Medicine, two from Ayurvedic Medicine, one from Homoeopathic Medicine and one from Social Sciences, subject to the condition that, out of these one shall be a person belonging to Scheduled Castes, one belonging to Scheduled Tribes and one from backward class communities and one shall be a woman.

Elected Members

(i) Five persons to be elected by registered Class A medical practitioners in Modern Medicine in the State from among themselves, of whom,—

(a) one shall be a member of the Scheduled Caste or Scheduled Tribe; and

(b) one shall be a woman;

(ii) one person elected from among the registered Class A medical practitioners in Dentistry in the State;

(iii) two persons elected from among registered Class A medical practitioners in Ayurvedic Medicine in the State of whom one shall belong to the Scheduled Caste or Scheduled Tribe;

(iv) one person elected from among the registered Class A medical practitioners in Homoeopathic Medicine in the State;

(v) (a) one Principal to be elected from among the Principals of the affiliated private Medical Colleges in the State;

(b) one Principal to be elected from among the Principals of the affiliated private Dental Colleges in the State;

(c) one Principal to be elected from among the Principals of the affiliated private Ayurveda Medical Colleges in the State;

(d) one Principal to be elected from among the Principals of the affiliated private Homoeopathic Medical Colleges in the State;

(e) one Principal to be elected from among the Principals of affiliated private Nursing Colleges in the State;

(f) one Principal to be elected from among the affiliated private Pharmacy Colleges in the State;

(g) one Principal to be elected from among the Principals of affiliated private Siddha Medical Colleges in the State.

(vi) four members elected by the Members of the Legislative Assembly of Kerala from among themselves, of which one belonging to schedule caste and one shall be a woman;

(vii) (a) two members elected by the teachers of the University from among themselves, of which one shall be a woman;

(b) three members elected by the teachers of the Government Medical Colleges in the State from among themselves, of whom one shall be a woman;

(c) one member elected from among the teachers of Government Dental Colleges in the State;

(d) one member elected by the teachers of the Government Ayurveda Colleges in the State from among themselves;

(e) one member elected by the teachers of the Government Homoeopathic Colleges in the State from among themselves;

(f) one member elected by the teachers of the Government Pharmacy Colleges in the State from among themselves;

(g) one member elected by the teachers of the Government Nursing Colleges in the State from among themselves;

(h) one member elected from among the teachers of paramedical courses in the Government Medical Colleges in the State;

(i) one member elected from among the teachers of the affiliated private Medical Colleges in the State;

(j) one member elected from among the teachers of affiliated private Dental Colleges in the State;

(k) one member elected from among the teachers of the affiliated private Ayurveda and Siddha Colleges in the State;

(l) one member elected from among the teachers of affiliated private Homoeo Colleges in the State;

(m) one member elected from among the teachers of the private Nursing Colleges in the State;

(n) one member elected from among the teachers of the private Pharmacy Colleges in the State;

(o) one member elected from among the teachers of the affiliated private Physiotherapy Colleges in the State;

(p) one member elected from among the managers of private Paramedical Colleges, including in Medical Laboratory Technology, in the State;

(q) two members elected from among the managers of private medical and allied colleges in the State;

(viii) ten students' representatives elected from among the members of the General Council of the University Union with representation of at least one for each Faculty, of which one-third shall be woman;

(ix) one person elected from among the non-teaching employees of the University;

(x) one person elected from among the non-teaching employees of the affiliated Government Colleges in the State.

(2) The Registrar shall be the ex-officio Secretary of the Senate.

(3) The Vice-Chancellor or in the absence of the Vice-Chancellor, the Pro-Vice-Chancellor shall normally preside over the Senate.

(4) The quorum for the meeting of the Senate shall be twenty-five or one-fourth of the total members whichever is less.

(5) The term of office of the Senate shall be five years from the date of its constitution by the Chancellor and the Chancellor shall reconstitute the Senate on the expiry of its term.

(6) The manner and method of constitution of the Senate and nomination or election of the members of the Senate and the term of members shall be as prescribed in the Statutes.

(7) The Senate shall meet at least twice a year on dates to be fixed by the Vice-Chancellor and one of such meetings shall be called the annual meeting.

(8) A report on the working of the University during the previous year, together with a Statement of receipts and expenditure, the financial estimates and the last audit report shall be presented before the Senate at the annual meeting of the Senate convened under sub-section (7).

(9) The Vice-Chancellor may, whenever he thinks fit and shall, upon a requisition in writing signed by not less than one-fourth members of the Senate, convene a special meeting of the Senate.

21. *Powers of the Senate.*—The Senate shall have the following powers, namely:—

(i) to formulate the broad policies and programmes of the University;

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

(iii) to consider the annual report, the annual accounts, the audit report and the development plans of the University and give recommendations to the Vice-Chancellor and Governing Council;

(iv) to confer honorary degrees or other academic distinctions on the recommendation of the Governing Council;

(v) to review current academic programmes and collaborative programmes;

(vi) to suggest new academic programmes consistent with the social requirements in Medical Education;

(vii) to suggest institution of new degrees, diplomas, certificates and other academic distinctions;

(viii) to exercise such other powers and perform such other duties as may be conferred or assigned by this Act or the Statutes.

22. *The Governing Council.*—(1) The Governing Council shall consist of the following members, namely:—

(i) the Vice-Chancellor—Chairperson;

(ii) the Pro-Vice-Chancellor;

(iii) the Secretary to Government, Health Department in-charge of Medical Education;

(iv) the Director of Medical Education;

(v) the Director of Ayurvedic Medical Education;

(vi) the Director or the Principal and Controlling Officer of Homoeopathic Medical Colleges in the State;

(vii) three eminent persons with experience in the area of medical education to be nominated by the Pro-Chancellor;

(viii) three members elected by the Academic Council from among its members as prescribed by Statues one each from Modern Medicine, Indian Systems of Medicine and Homoeopathic Medicne;

(ix) three experts in the field of health and allied sciences to be nominated by the Chancellor on the recommendation of the Vice-chancellor from any of the Educational or Research Institutions of high repute within or outside the State;

(x) one Biomedical Academician or Scientist belonging to Scheduled Caste or Scheduled Tribe nominated by the Chancellor, on the recommendation of the Pro-chancellor;

(xi) one woman Biomedical Academician or Scientist nominated by the Chancellor, on the recommendation of the Pro-chancellor.

(2) The Registrar of the University shall be the ex-officio Secretary of the Governing Council, but shall not have the right to vote.

(3) Nine members of the Council shall form the quorum for a meeting.

(4) There shall be not less than four meetings of the Governing Council in a year. The rules and procedure for conduct of business to be followed at a meeting of the Governing Council and such other matters in relation to meetings as may be necessary shall be such as may be prescribed by Statutes.

(5) Members of the Governing Council other than ex-officio members shall hold office for a term of four years from their date of nomination.

(6) The rules and manner of nomination and term of office of the members of the Governing Council shall be as may be prescribed by Statutes.

23. *Powers of the Governing Council.*—The Governing Council shall exercise the following powers subject to the provisions of this Act:

(i) to make Statutes subject to the approval of the Chancellor;

(ii) to make Ordinances;

(iii) to hold, control and administer the properties and funds of the University;

(iv) to consider and pass the budget and financial estimates of the University according to the provisions of the Statutes;

(v) to affiliate medical institutions in accordance with the terms and conditions of such affiliation provided by this Act and Statutes;

(vi) to ensure transparency in admission and a fair fee structure in the affiliated colleges;

(vii) to cause inspection of the affiliated colleges and associated institutions to ensure the academic quality and standards;

(viii) to approve the appointment of the Faculty members and other employees of the University and to prescribe their duties;

(ix) to take necessary steps to realise the objectives of the University;

(x) to fix and regulate the fees payable by the students in colleges affiliated to the University;

(xi) to exercise supervision and controll over the discipline of the staff and students of the affiliated colleges;

(xii) to make or amend Examination Manual prescribing the procedure for conduct of University examinations and publishing of the results;

(xiii) to regulate the internal assessments and other evaluation procedures conducted by the affiliated colleges or institutions;

(xiv) to appoint the members of the Board of Studies based upon their qualifications and academic standards;

(xv) to approve the appointment of teachers in private and aided colleges under direct payment system of the Government;

(xvi) to take steps for the maintenance of the academic standards, quality of service in affiliated colleges or institutions;

(xvii) to establish schools, departments, colleges, centres, institutions of higher learning, research and specialised studies on the recommendation of the Academic Council;

(xviii) to hold, control and arrange for administration of assets and properties of the University;

(xix) to approve the budget estimates as received from the Finance Committee, with its own modifications, if any;

(xx) to determine the form of a common seal for the University, and provide for its custody and use;

(xxi) to acquire any movable or immovable property for the University;

(xxii) to transfer by sale, or otherwise, any movable property on behalf of the University;

(xxiii) to borrow, lend or invest funds on behalf of the University as recommended by the Finance Committee, subject to the policies of the Government and as provided by the Statutes;

(xxiv) to lay down policy for administering funds at the disposal of the University for specific purposes;

(xxv) to provide buildings, premises, furniture, apparatus, equipments, instruments and other means needed for the conduct of the work of the University and provide hostel for students and housing for staff;

(xxvi) to recommend to the Senate conferment of honorary degrees and academic distinctions;

(xxvii) to institute and confer such degrees, diplomas, certificates and other academic distinctions as recommended by the Academic Council and arrange for convocation for conferment of the same, as provided by Statutes or Ordinances;

(xxviii) to institute fellowships, travelling fellowships, scholarships, studentships, awards, medals and prizes in accordance with the Regulations made in this behalf;

(xxix) to make regulations for collaboration with other Universities, institutions and organisations for mutually beneficial academic programmes recommended by the Planning Committee;

(xxx) to create posts of University teachers and non-vacation academic staff on the recommendation of the Academic Council as and when required with the prior approval of the State Government;

(xxxi) to lay down by Statutes, on the basis of qualifications and terms and conditions of service and other guidelines approved by the State Government from time to time, the procedure for appointment of University teachers and non-vacation academic staff and fix their emoluments and norms of workload, conduct and discipline;

(xxxii) to create regular posts of officers and other employees of the University, with the prior approval of the State Government;

(xxxiii) to lay down by Statutes, the procedures for appointment of Officers and other employees of the University, qualifications, mode of recruitment, pay scales, terms and conditions of service including conduct, discipline and their duties;

(xxxiv) to arrange for and direct the investigation into the affairs of private, affiliated colleges and to issue instructions for ensuring proper conditions of employment of teachers, officers and other employees in all institutions and colleges affiliated to the University, payment of adequate salaries to them and in case of disregard of such institutions to modify the conditions of application or recognition or take such other steps as they deem proper in this behalf;

(xxxv) to prescribe honoraria, remunerations and fees and travelling and other allowances for paper-setters, examiners and other examination staff, visiting faculty, and for such other services rendered to the University;

(xxxvi) to receive and consider report on the working the University from the Vice-chancellor periodically as provided by the Statutes or Ordinances;

(xxxvii) to prepare academic calendar of the University according to the Statutes, and guidelines from the University Grants Commission, various Central Councils and State Government for each academic year, before the expiry of the previous academic year;

(xxxviii) to confer autonomous status on University departments, affiliated colleges and recognised institutions on the recommendation of the Academic Council, subject to the norms approved by the State Government if any and having regard to the guidelines of the University Grants Commission;

(xxxix) to consider the perspective plan for the academic developments of the University prepared by the Planning Committee;

(xl) to assess and approve the feasibility of proposals from the Academic Council for academic programmes;

(xli) to consider and approve the annual report, annual accounts and audit reports of the University;

(xlii) to cause an inquiry to be made in respect of any matter concerning the proper conduct, working and finances of colleges, schools, institutions or departments of the University;

(xliii) to delegate, any of its powers, except the power to make Statutes and Ordinances, to the Vice-chancellor or such officer or authority of the University or a committee appointed by it, as it thinks fit.

24. *The Academic Council.*—(1) The Academic Council shall be responsible for laying down the academic policies in regard to maintenance and improvement of standards of teaching and research and collaboration programmes.

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

(i) the Vice-chancellor, Chairperson;

(ii) the Pro-Vice-chancellor;

(iii) the Deans of Faculties;

(iv) Chairpersons of the Boards of Studies;

(v) the Head of the Planning Committee;

(vi) (a) five Professors—three from the affiliated Government Medical Colleges and two from the affiliated private Medical Colleges;

(b) two Professors—one each from affiliated Government and private Dental Colleges;

(c) two Professors—one each from Government and private Ayurveda Colleges;

(d) one Professor from Government Homoeopathic Colleges;

(e) two Professors or Senior Faculty—one each from Government and private Nursing Colleges;

(f) one Professor or Senior Faculty from Government Pharmacy Colleges;

(g) one teacher from Medical Laboratory Technology; and

(h) one teacher from Physiotherapy in Government or Private Medical Colleges; category from (a) to (h) above to be nominated by the Vice-chancellor;

(vii) five Professors from among the Professors in the University departments or institutions, nominated by the Vice-chancellor;

(viii) one teacher representing each Faculty to be co-opted by the Academic Council from among the teachers having not less than ten years teaching experience, other than Principals of colleges, Heads of University departments and Heads of recognised Institutions;

(ix) one Head of a recognised institution, nominated by the Vice-chancellor;

(x) one Head or Director of an Academic Services Unit of the University, nominated by the Vice-chancellor;

(xi) two eminent experts in the field of Health and Allied Sciences, nominated by the Chancellor;

(xii) the Director of Medical Education;

(xiii) the Director of Ayurvedic Medical Education;

(xiv) the Director or the Principal and Controlling Officer of Homoeopathic Medical Colleges in the State;

(xv) one teacher belonging to Scheduled Caste or Scheduled Tribe nominated by the Vice-chancellor from among the teachers of the University Departments or affiliated Government Colleges;

(xvi) three women teachers nominated by the Vice-chancellor from among the teachers of the University Departments or affiliated Government Colleges.

(3) The Registrar shall act as the Secretary of the Academic Council, but shall have no right to vote.

(4) The Academic Council shall meet not less than thrice a year.

(5) The term of the Academic Council shall be four years.

25. *Powers and duties of the Academic Council.*—(1) The powers and duties of the Academic Council shall be,—

(i) to advise the Governing Council on all academic matters;

(ii) to make regulations;

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

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

(v) to prescribe the qualifications of teachers in affiliated colleges or institutions or centres or schools;

(vi) to prescribe the qualifications for admission of students to the various courses of studies and to the examinations;

(vii) to make provisions for the admission of students to various courses of studies on the basis of merit and in order to maintain the standards of education;

(viii) to co-ordinate the teaching and learning process in the affiliated colleges or institutions or centres or schools;

(ix) to recommend to the Senate or Governing Council proposals regarding institution of degrees, diplomas, certificates and other academic distinctions;

(x) to make proposals for the establishment of colleges, institutions, departments of higher learning, research and specialised studies, academic services units, libraries, laboratories and museums etc. in the University;

(xi) to consider and make recommendations regarding new proposals for creation of the posts of Professors, Associate Professors, Assistant Professors, Lecturers, Tutors and Non-vocational academic staff required by the University;

(xii) to make proposals to the Governing Council for the institution of fellowships, travelling fellowships, scholarships, studentships, medals and prizes and make regulations for their awards;

(xiii) to prescribe qualifications and norms for appointment of paper-setters, examiners, moderators and others concerned with the conduct of examinations;

(xiv) to appoint committees to review periodically the utility and practicability of the existing courses of study and the desirability or necessity of reviewing or modifying them in the light of new knowledge or challenging social requirements;

(xv) 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;

(xvi) to make proposals for the conduct of interdisciplinary studies, common facilities, such as instrumentation centres, workshops, hobby centres, museums, etc.;

(xvii) to prescribe norms for recognition of any member of the staff of an affiliated college or recognised institution as a teacher of the University;

(xviii) to prescribe norms for granting affiliation, continuation of recognition, extension of recognition to institutions of higher learning and research for specialised studies;

(xix) to grant affiliation to colleges or institutions in accordance with the provisions of the Statutes, Ordinances and Regulations;

(xx) to accord recognition to institutions of higher learning, research of specialised studies on the recommendation of the committees appointed by the Council;

(xxi) to recommend to the Governing Council, conferment of autonomous status on University institutions, departments, affiliated colleges and recognised institutions in accordance with the provisions of Ordinances and Policies of the State Government in this regard;

(xxii) to make proposals to the Governing Council to prescribe fees and other charges;

(xxiii) to advise the University generally on all academic matters and submit to the Governing Council feasibility reports on academic programmes recommended by the Senate at its last annual meeting;

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

(2) the quorum for the meeting of the Academic Council shall be one-fifth of the total members or ten whichever is less;.

(3) A person who has become a member of the Academic Council in the capacity of a student shall cease to hold the office on ceasing to be a student.

26. *The Board of Examinations.*—(1) The Board of Examinations shall be the authority for conducting the examinations and making policy decisions in regard to organising and holding examinations, improving the system of examinations, appointing the paper-setters and examiners and for preparation of the schedule of dates for holding examinations and declaration of the results, subject to the control and review of the Governing Council. The Board of Examinations shall also oversee

and regulate the conduct of examinations in the constituent colleges, institutions and University Departments.

(2) The Board of Examinations shall deal with all the matters in relation to examinations and shall hear and decide the complaints received pertaining to any matter arising out of conduct of examinations. The procedure to be followed by the Board for their deliberations shall be prescribed by the Statutes.

(3) The Board of Examinations shall consist of the following members, namely:—

(i) the Vice-chancellor, Chairperson;

(ii) the Pro-Vice-chancellor;

(iii) the Dean of the Faculty concerned with the examination;

(iv) one head of University Department, not below the rank of Associate Professor or in the absence of a Head of the University department, a Professor from Government Colleges, nominated by the Vice-chancellor;

(v) one Principal other than Dean of Faculty nominated by the Vice-chancellor;

(vi) one teacher other than Heads of Departments or Principals, nominated by the Vice-chancellor;

(vii) one evaluation expert, co-opted by the Board;

(viii) Controller of Examinations shall be the ex-officio Secretary.

27. *Powers and functions of the Board of Examinations.*—(1) The Board of Examinations shall ensure proper organisation of examinations and tests of the University, including moderation, tabulation and the declaration of results.

(2) The Board shall meet not less than twice in each academic term.

(3) In particular and without prejudice to the generality of duties as mentioned in sub-section (1), the Board shall exercise the following powers and perform the following duties, namely:—

(i) to approve panels of examiners and question paper setters from the list of persons proposed by the respective Boards of Studies ;

(ii) to explore, suggest and introduce examination reforms;

(iii) to exercise such other powers in relation to examinations as may be assigned to it by or under this Act.

(4) In case of any emergency requiring immediate action to be taken, the Chairperson of the Board or any other officer or person authorised by the Chairperson in that behalf, shall take such action as considered fit and necessary, and at the next meeting of the Board, the action taken shall be reported by such person, for ratification or approval.

(5) (a) The Board of Examinations shall constitute committees for every subject or group of subjects consisting of,—

(i) the Pro-Vice-chancellor—Chairperson;

(ii) the Dean of the concerned Faculty;

(iii) the Chairperson of the concerned Board of Studies;

(iv) one member of each subject from among the members of the concerned Boards of Studies to be decided by the Board of Examinations:

Provided that, where a Faculty is to be appointed for evaluation of thesis and dissertation and for conduct of viva voce examinations wherever prescribed for awarding post graduate, doctorate and higher degrees, two persons decided by the Academic Council shall also be members of the concerned Committee;

(b) The Controller of Examinations shall be the ex-officio Secretary of such committees;

(c) The rules and procedures for the performance of the duties of the Board of Examinations, including procedure for disciplinary action on malpractices connected with the examinations, shall be prescribed in the Statutes;

(6) The Board shall prepare the financial estimates for the work related to examinations for incorporation in the budget of the University and shall submit the same to the Finance Officer.

(7) The Board shall arrange for strict vigilance during the conduct of the examinations so as to avoid use of unfair means by the students, teachers, invigilators, supervisors etc.

28. *The Board of Studies.*—(1) There shall be a Board of Studies for every subject or group of subjects, as may be prescribed by the Statutes.

(2) The Board of Studies shall consist of,—

(a) the Head of the University department or institution in the relevant subject :

Provided that, where there is no University department in the subject, a person nominated by the Vice-Chancellor from among the Heads of the Departments from an affiliated college having post graduate teaching experience in that subject;

(b) six Heads of Departments in affiliated colleges, other than Principals, having not less than ten years teaching experience, nominated by the Vice Chancellor;

(c) two post graduate teachers having not less than ten years of teaching experience from among the teachers of affiliated Government Colleges, one of them preferably a woman nominated by the Vice-Chancellor;

(d) two eminent persons nominated by Vice-Chancellor, who are—

(i) either Professors or Associate Professors in other Universities; or

(ii) persons with relevant experience of not less than ten years in national laboratories or research institutions or recognised institutions; or

(iii) experts in related field, having published—

(a) at least one book in the relevant subject; or

(b) four research papers in indexed national or international journals.

(3) The Chairperson shall be elected by the members of the Board from among themselves.

29. *Powers and functions of the Board of Studies.*—(1) The Board of Studies shall have the following powers and functions, namely:—

(a) to recommend, upon reference to it by the Governing Council, Academic Council or the Faculty concerned or otherwise, the courses of studies, the subject or group of subjects within its purview;

(b) to recommend books, including text-books, supplementary reading and reference books and other material for such courses of study;

(c) to advise the Faculty or Faculties concerned regarding improvements in the courses of study;

(d) to recommend names of suitable persons to the Board of Examinations for inclusion in the panels for appointment of paper-setters and Examiners at the University examinations in the subject;

(e) to recommend to the Board of Examinations, names of persons suitable for appointment as examiners or evaluators for evaluation of thesis and

dissertations and for conduct of viva voce examinations, wherever prescribed, for awarding post graduate doctorate and higher degrees;

(f) to suggest organisation of orientation and refresher courses in the subject;

(g) to prepare requirements in respect of teaching of the subject at various levels in respect of teachers and their qualifications, library, laboratory and hospital equipment and consumables for use in the laboratory and to recommend the same to the Planning Committee for formulating the norms and requirements for granting affiliation to colleges and for granting recognition to institutions by the University.

(2) The term of Board of Studies shall be three years or as may be prescribed in the Statutes.

30. *Faculty.*—(1) The Faculties shall be the principal academic co-ordination authorities of the University in respect of studies and research in the subjects included in the Faculty and also in respect of studies and research in multi-disciplinary Faculties.

(2) The University shall have such Faculties as may be prescribed by Statutes.

(3) A Faculty shall be constituted, divided, combined with or abolished only with the approval of the Academic Council and as may be prescribed by Statutes.

(4) The Faculty shall comprise such subjects as are prescribed by Statutes.

(5) The Faculty shall consist of the following members, namely:—

(i) the Dean—Ex-officio Chairperson;

(ii) the Chairperson of each Board of Studies for the subjects comprised in the Faculty;

(iii) one member of each Board of Studies to be elected by the members of the Boards of Studies from among themselves, out of whom at least one shall be a post graduate teacher;

(iv) two subject experts, preferably from outside the State, nominated by the Vice-Chancellor.

(6) The Faculties will have a term of three years or as may be prescribed by the Statutes.

31. *The powers and functions of Faculties.*—The Faculty shall have the following powers and functions, namely:—

(i) to consider and report on any matter referred to it by the Senate, Governing Council, Academic Council or Planning Committee;

(ii) to consider and approve recommendations of the Boards of Studies in the Faculty and on matters not affecting any other Faculty;

(iii) to consider and recommend to the Academic Council on the academic matters within its purview which affect any other Faculty or Faculties or which involve administrative or financial implications;

(iv) to consider and recommend to the Academic Council establishment of new courses, inter-disciplinary courses and short-term training programmes referred to it by the Board of Studies or Board of Inter-disciplinary Studies, if any, constituted by Statutes;

(v) to make recommendations to the Planning Committee in respect of the requirements regarding the conduct of post graduate or under-graduate instruction, teaching, research and training in University institutions or departments, affiliated colleges and recognised institutions;

(vi) to ensure that guidelines and rules framed for the following matters by the Academic Council are implemented:—

(a) long-term curriculum development;

(b) Faculty development;

(c) teaching or learning material development;

(d) research in educational matters with particular reference to colleges.

(vii) to plan and organise inter-departmental and inter-faculty programmes in consultation with the Board of Studies, other Faculties or Planning Committee;

(viii) to recommend to the Academic Staff College and the Academic Council regarding organisation of continuing medical education, refresher and orientation courses for teachers of affiliated colleges and University departments especially for the revised or newly introduced or inter-disciplinary courses of study;

(ix) to prepare and submit the annual report of the functioning of the Faculty to the Vice-Chancellor;

(x) to consider any other academic matter which may be referred to it.

32. *The Finance Committee.*—(1) The Finance Committee shall consist of following members, namely:—

(i) the Vice-Chancellor;

(ii) the Pro-Vice-Chancellor;

(iii) the Registrar;

(iv) the Finance Officer;

(v) two members elected by Governing Council members from among themselves; and

(vi) one member from the Planning Committee nominated by the Vice-Chancellor.

(2) The Finance Committee shall give advice to the University authorities on any matter relating to the finances of the University. The powers of the Finance Committee shall be as follows:—

(i) to prepare the budget estimate of the University and to review the accounts of expenditure and to make recommendations to the Governing Council;

(ii) to consider and make recommendations to the Governing Council on the proposals for new expenditure on major works and purchases;

(iii) to scrutinise re-appropriation statements and audit notes and make recommendations to the Governing Council;

(iv) to review the finance of the University and to suggest concurrent audit conducted wherever necessary;

(v) to give advice and make recommendations to the Governing Council on any other financial question affecting the affairs of the University.

(3) The term of the Finance Committee shall be three years or as may be prescribed by the Statutes.

33. *The Planning Committee.*—(1) The Planning Committee shall be responsible to plan the development of the University, both physical and academic, and it shall conduct academic audit of the University departments,

institutions, colleges and recognised institutions. It shall also plan, monitor, guide and co-ordinate undergraduate and post graduate academic programmes and development of affiliated colleges.

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

(i) the Vice-Chancellor, Chairperson;

(ii) the Pro-Vice-Chancellor;

(iii) five Deans of Faculty to be nominated by the Vice-Chancellor including at least one each from Indian Systems of Medicine and Homoeopathic Medicine;

(iv) one person from among the Heads of departments or Directors of the University institutions not below the rank of Professor and who is not a Dean, to be nominated by the Vice-Chancellor;

(v) one teacher, imparting post graduate instruction having not less than ten years of teaching experience, nominated by the Vice-Chancellor;

(vi) one teacher imparting undergraduate instruction having not less than five years of teaching experience, nominated by the Vice-Chancellor;

(vii) one Principal of an affiliated Government College of Health and Allied Sciences decided by the Governing Council, from among the Principals who are members of the Academic Council;

(viii) one Principal of an affiliated professional college nominated by the Chancellor;

(ix) two experts co-opted by the Committee, from among the Heads of Institutions or senior Scientists of National or State level research institutions;

(x) the Director of Planning—Member Secretary:

Provided that, the members nominated in categories (iv) to (ix) above shall as far as possible, be drawn from different faculties or subjects.

(3) The Committee shall meet at least thrice a year.

(4) The term of the Planning Committee shall be three years or as may be prescribed in the Statutes.

34. *Powers and functions of the Planning Committee.*—The Planning Committee shall have the following powers and functions, namely:—

(i) to suggest measures to create links and develop specific schemes for inter University interactions and for interaction of the University and Colleges with the industry and professional bodies and associations in health, medical and allied sciences;

(ii) to prepare University and College development plans, both short-term and long-term, keeping in view the objectives of the University as laid

down in this Act and with due regard to the National and State Educational Policies;

(iii) to recommend to the Senate or Governing Council the development and collaborative programmes for the departments, Colleges and the University;

(iv) to monitor and report the progress of all such approved development and collaborative programmes to the Senate or Governing Council once in a year;

(v) to evaluate and assess the use of grants by University departments, post graduate centres and affiliated colleges in respect of development projects and submit the report to the Academic Council;

(vi) to assess the manpower requirements of trained persons in different fields, such as, Health and Allied Sciences and technology and make necessary recommendations to the Governing Council for introducing and strengthening of relevant courses of study;

(vii) to organise academic audit of development and collaborative programmes of University institutions or departments, post graduate centres and affiliated colleges, according to the provisions of the Statutes at least once in three years and make necessary recommendations to the University for implementation.

35. *The Research Council.*—(1) There shall be a Research Council consisting of the Vice-Chancellor, Pro-Vice-Chancellor, Heads of the University Departments and Directors or eminent scientists from the Research Institutes within or outside Kerala. The members of the Research Council shall be nominated by the Vice-Chancellor in consultation with the Governing Council.

(2) There shall be a Director of Research, appointed by the Vice-Chancellor, who shall be the Convenor of the Research Council.

(3) The duties of the Research Council shall be as provided in the Statutes.

(4) The term of the Research Council shall be three years or as may be prescribed by the Statutes.

36. *The University Quality Assurance Council.*—There shall be quality assurance Council in the University for periodic examination of the academic standards, democratic functioning and social commitment of the affiliated colleges and University centres. The members of the Council shall be appointed by the Vice-Chancellor in consultation with the Governing Council. The structure and functions of the Council shall be as prescribed by the Statutes.

37. *University Ethics Committee.*—University Ethics Committee shall be formed as per the guidelines of national agencies like the Department of Biotechnology, Indian Council of Medical Research and other Research Councils for examining the research projects undertaken by the University centres and to give advice to the affiliated colleges for maintaining ethical principles in research and clinical trial work. The members of the Ethics Committee shall be nominated by the Vice-Chancellor in consultation with Governing Council. The structure and functions of the Council shall be as prescribed by the Statutes.

38. *Constitution, powers and functions of the Students' Council.*—(1) There shall be a Students' Council in the University to encourage and promote the student's co-curricular and extra curricular activities, and to bring notice of their grievances before the authorities.

(2) The Students' Council shall consist of the following members, namely:—

(a) *Ex-Officio Members*:

(i) Pro-Vice-Chancellor—Chairperson;

(ii) the Chairman of the University Students Union;

(iii) the General Secretary of the University Students Union;

(iv) the Dean, Students' Affairs; and

(v) the Officer in-charge of the National Service Scheme.

(b) *Elected Members*:

(i) seven members elected by the General Council of the University Students Union who shall not be the members of Senate or Academic Council;

(ii) three members elected from among the full time students of the campuses or departments of the University in such manner as may be prescribed by the Statutes;

(iii) two members, other than students, elected by members of the Senate from among themselves;

(iv) two members elected by the Governing Council from among themselves; and

(v) one member of the Academic Council elected from among themselves.

(c) *Other Members*:

(i) five students may be nominated by the Vice-Chancellor from the affiliated Government colleges or institutions who have distinguished themselves in academic fields, sports, arts etc.;

(ii) a member nominated by the Vice-Chancellor in consultation with the Chairman of the University Students Union shall be the Secretary of the Council;

(iii) the members of the Students Council other than ex-officio members shall hold office for a term of one year from the date of their nomination or election, as the case may be.

(3) The Students Council shall have the following powers and functions, namely:—

(i) to make recommendation to the Governing Council and Academic Council in the matters related to academic work of students, the co-curricular and extra curricular activities in the University;

(ii) to make suggestions to the Governing Council and Academic Council in respect of all rules relating to discipline, welfare of students, sports, working of library, management of hostels, students' home and non-resident students' centres, extension work, social work, students' health, National Service Scheme, National Cadet Corps and such other matters as may be prescribed by the Statutes;

(iii) to communicate its views, observations and recommendations to any authority of the University in respect of any matter which concerns the students, and if any question arises as to whether a matter does or does not concern the students, it shall be decided by the Chairman of the Students Council and his decision shall be final;

(iv) to take such steps as are necessary for the general welfare of the students that comes under the University;

(v) to exercise such other powers and perform such other duties and functions as may be conferred or imposed on it by this Act or the Statutes, Ordinance and Regulations.

(4) The Chairperson of the Students Council shall cause to be laid before the Governing Council and Students Council in such manner as may be prescribed by the Statutes, periodical reports regarding the recommendations and suggestions made by the Council, the action taken thereon by the authorities to which such recommendations and suggestions were made, and if no action was taken by the authorities to which such recommendations and suggestions were made, the reason thereof.

(5) The election to the college level Students Council shall be held before such date of the year as may be prescribed by the Statutes.

39. *General provisions regarding authorities of the University.*—(1) The constitution, powers, functions and duties of the authorities of the University, not laid down under any of the provisions of this Act, shall be such as may be prescribed by Statutes.

(2) Save as otherwise provided by or under the provisions of this Act, the term of office of the elected, nominated, appointed or co-opted member of any authority shall be three years from the date of its first meeting, irrespective of the date on which a member enters upon such office.

(3) Notwithstanding anything contained in this Act or Statutes, where a person elected, nominated, appointed or co-opted as an officer of the University or a member of any of the authorities or bodies of the University by virtue of his being eligible to be so elected, nominated, appointed or co-opted as such an officer or a member under any of the categories of officers or members specified by or under the relevant provisions of this Act in relation to such office, authority or body, such person shall cease to be such an officer of the University or member of such authority, or body as soon as such person ceases to belong to such category and shall be deemed to have vacated the office as such officer or member.

(4) A person shall be disqualified for being a member of any of the authorities of the University, if such person,—

(i) is of unsound mind and stands so declared by a competent authority;

(ii) is an undischarged insolvent;

(iii) has been convicted of any offence involving moral turpitude;

(iv) is conducting or engaging oneself in private tuitions or private coaching classes or private medical practice, if such private tuition, coaching or private practice has been banned by the Government in respect of such person;

(v) has been punished for indulging in or promoting unfair practices in the conduct of any examination in any form anywhere.

(5) No person shall be a member of the Governing Council, the Academic Council or the Board of Examinations for not more than two consecutive terms, either as an elected, nominated, appointed or co-opted member, as the case may be. However, the Chancellor shall have the power to grant exemption to such a member.

(6) Save as otherwise provided by or under the provisions of this Act, each authority of the University while acting and exercising its powers and discharging its functions or duties assigned to it by or under the provisions of this Act shall have the exclusive jurisdiction to deal with and decide on the matters assigned to it and discharge the functions or duties assigned to it by or under the provisions of this Act.

(7) (i) Every election to any authority or body of the University under this Act shall be held by ballot in accordance with the system of proportional representation by means of a single transferable vote and as may be prescribed by Statutes.

(ii) The other details relating to elections not specified in this Act shall be prescribed by Statutes.

(8) A member of any University or body other than ex-officio member may resign by writing under his signature. A nominee of the Chancellor may resign, by addressing to the Chancellor and any other member may resign by addressing to the Vice-Chancellor. The person shall cease to be a member upon his resignation being accepted by the Chancellor or, the Vice-Chancellor, as the case may be.

(9) If the person nominated, elected, appointed or co-opted to an authority or body remains absent without prior permission of the authority or body for three consecutive meetings, he shall be deemed to have vacated his

membership and he shall cease to be a member from the date of the third such meeting in which he has remained absent.

(10) Save as otherwise provided by this Act all matters with regard to the conduct of meetings of the authorities, bodies or committees, if any, constituted by the University or any authority shall be such as may be prescribed by the Statutes.

(11) When any vacancy occurs in the office of a member, other than an ex-officio member, of any authority or other body of the University before the expiry of his normal term, the vacancy shall be filled, as soon as may be, by nomination of a suitable person by the Chancellor or the Government where the Chancellor or the Government is the nominating authority or by the Vice-Chancellor in all other cases. The person nominated shall be a person who is otherwise, eligible to be nominated or elected on the said authority or body from the same category. The person so nominated shall hold office only so long as the member in whose place he has been nominated would have held it, if the vacancy had not occurred.

CHAPTER V

STATUTES, ORDINANCES, REGULATIONS AND BYE-LAWS

40. *Statutes.*—(1) Subject to the provisions of this Act, the Governing Council shall have, in addition to all other powers vested in it, the power to make Statutes to provide for the administration and management of the affairs of the University.

(2) Statutes may provide for all or any of the following matters, namely:—

(i) the powers and duties of the officers of the University;

(ii) the constitution, powers and duties of the authorities of the University not specifically provided for in this Act;

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

(iv) conferment of honorary degrees and holding convocation;

(v) the establishment and maintenance of the University schools, departments, institutions, constituent colleges, institutions of higher learning, centres for research or specialised studies and hostels;

(vi) the principles governing the seniority and service conditions of the employees of the University;

(vii) the provision for disqualifying members of the authorities, bodies or committees of the University;

(viii) abolition of University schools, departments or institutions, constituent colleges and centres;

(ix) qualifications, recruitment, workload, code of conduct, terms of office, duties and conditions of service including periodic assessment of teachers, officers and other employees of the University and the affiliated colleges except those colleges or institutions maintained by the State or Central Government or a local authority, the provision of pension, gratuity and provident fund, the manner of termination of their services, wherever applicable, as approved by the State Government;

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

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

(xii) the norms for grant of autonomy to University schools, departments or institutions, affiliated colleges and recognised institutions, subject to the approval of the State Government;

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

(xiv) provision of reservation of adequate number of posts of teachers, officers and other employees of the University and affiliated colleges, for the members of the Scheduled Castes and Scheduled Tribes and Other Backward Classes in accordance with the Constitutional provisions and policy of the State Government;

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

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

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

(xviii) award of degrees diplomas, titles, certificates, and other academic distinctions by the University;

(xix) the withdrawl or cancellation of degrees, diplomas, titles, certificates and other academic distinctions granted by the University;

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

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

(xxii) constitution of Governing bodies for private colleges under unitary management and managing councils for private colleges under corporate management;

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

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

(2) The Governing Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (1).

(3) The Statute may be made, amended or repealed by the Governing Council in the manner hereinafter provided:—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(x) the duties and functions of students' associations and other organisations in colleges;

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

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

43. *Procedure for making Ordinances.*—The Governing Council may make, amend or repeal Ordinances in the manner hereinafter provided,—

(i) No Ordinances concerning the matters referred to in clauses (i) to (vi) of section 42 above, or any other matter connected with the maintenance of the standards of teaching and examinations within the University, shall be made by the Governing Council unless a draft thereof has been considered by the Academic Council;

(ii) The Governing Council shall not have the power to amend any draft proposed by the Academic Council under clause (i) above, but may return it to the Academic Council for reconsideration, in part or in whole, together with any amendments which the Governing Council may suggest.

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

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

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

(ii) the admission of students to the various courses of study and to the examinations;

(iii) the qualifications of teachers;

(iv) the appointment and prescription of duties of the Boards of Studies and examiners;

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

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

(2) All Regulations made under this Act shall have effect from such date as the Academic Council may direct, but every Regulation so made shall be laid before the Governing Council during its next succeeding meeting.

45. *Bye-laws and Orders.*—(1) Any authority or body may, subject to the previous approval of the Governing Council shall have the power to make bye-laws and orders not inconsistent with this Act, the Statutes, Ordinances and Regulations, for the guidance and working of the Boards and Committees and other bodies constituted under the provisions of this Act, the Statutes, the Ordinances and the Regulations and for regulating the procedure and conduct of business at the meetings of any authority of the University and providing for all matters solely concerning such authority or body.

(2) Such bye-laws and orders shall be submitted to the Governing Council which may amend or annul them in such manner as it thinks proper, after ascertaining and considering the views of the authority or body making them.

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

CHAPTER VI

ADMISSIONS AND OTHER MATTERS RELATING TO STUDENTS

47. *Admission and Examination.*—(1) Subject to the rights of the minority educational institutions, admission to all courses in the University departments and affiliated colleges shall be made in accordance with the reservation policy of Government for the weaker sections of the society and on the basis of competitive merit in accordance with the rules, if any, made by the Government:

Provided that, where rules have been framed by the Government, in the interest of the students of the entire State, the University shall adopt the same and such rules shall be published in the Gazette, as the case may be, at least six months before the start of any academic session:

Provided further that having regard to the maintenance of discipline, the authority concerned shall have the power to refuse admission to a student.

(2) At the beginning of each academic year the University shall prepare and publish an academic calendar for all programmes including a Schedule of Examinations, provided that, no examination or the results of an examination shall be held invalid only for the reason that the University has not followed the Schedule.

48. *University Students Union.*—(1) There shall be an elected University Students Union, formed by Councillors elected by the students of the University, departments or schools and affiliated colleges.

(2) The University Students Union shall consist of the General Council and an Executive Council.

(3) The General Council shall consist of such members (Councillors) elected as provided below:—

(i) one member elected from among the undergraduate students of all the University departments or schools together;

(ii) one member elected from among the students of all the Postgraduate programmes in the University department or schools including full-time registered research scholars;

(iii) one member each elected from among the students of the undergraduate courses in affiliated Government and aided colleges;

(iv) one member elected from among the students of all Postgraduate courses in affiliated Government and aided colleges;

(v) ten members elected from among the regular students of affiliated private, self-financing, unaided colleges, of whom four shall be women.

(4) The Executive Council shall consist of Seventeen members including the following office bearers to be elected by the Councillors elected to the University Students Union as in sub-section (3) above from among themselves:

(i) a Chairperson;

(ii) a General Secretary;

(iii) two Vice-Chairpersons of whom one shall be a woman;

(iv) a Joint Secretary;

(v) three members representing the graduates or postgraduates students in Modern medicine from affiliated Government and aided colleges, of whom one shall be a woman;

(vi) one member representing the graduates or postgraduates in Dental Sciences, from affiliated Government and aided colleges;

(vii) two members representing the graduates or postgraduates in Indian Systems of Medicine, from affiliated Government and aided colleges, of whom one shall be a woman;

(viii) one member representing the graduates or postgraduates students in Homoeopathic Medicine, from affiliated Government and aided colleges;

(ix) one member representing the nursing students, who shall be a woman, from affiliated Government and aided colleges;

(x) one member representing the pharmacy students, from affiliated Government and aided colleges;

(xi) one member representing disciplines or subjects other than the subjects or disciplines mentioned above, from affiliated Government and aided colleges;

(xii) two members elected from among the regular students of the affiliated private, self-financing, unaided colleges of the University, of whom one shall be a woman.

(5) The University Students Union shall deal with all matters connected with the promotion of arts and sports among the students conducting of youth festival and competitive events and perform other duties as may be prescribed.

(6) The rules and procedure for election to the University Students Union shall be as prescribed by the Statutes.

(7) There shall be an elected Students Union to represent the students of the University in each of the affiliated colleges.

(8) The constitution, rules and procedure for the election of the Students Union shall be as may be prescribed by the Statutes.

49. *Selection of students for sports, cultural and other activities.*—The University shall provide provision in the Statutes to ensure that the students selected to represent their classes, colleges or the University as the case may be, for sports, cultural and all other activities are selected entirely on the basis of merit.

CHAPTER VII

PERMISSION, AFFILIATION AND RECOGNITION OF COLLEGES

50. *Affiliation and recognition.*—(1) The University shall affiliate all the professional medical or other colleges or Institutions imparting education in Modern Medicine, Dental, Ayurveda, Homoeopathy, Siddha, Unani, Yoga, Naturopathy, Nursing, Pharmacy and other paramedical and allied subjects, owned by Government of Kerala or Government controlled societies, private aided and private unaided self-financing educational agencies, which, before the date of commencement of this Act remained affiliated to the different Universities (except Deemed Universities) in the State of Kerala. The affiliation of the above mentioned institutions to other Universities in the State (except Deemed Universities), shall stand transferred to the University on and from the date of commencement of this Act, subject to the conditions that the affiliation of these colleges or institutions in respect of the students admitted to the courses in health sciences and allied subjects shall continue till those batches of students complete their courses, the examinations of all such students shall be conducted by the Universities to which they were attached, degrees or diplomas or other distinctions shall be awarded by such Universities and admission to these colleges for the academic year 2009-2010 shall continue in such Universities. The admission to the course or courses to be started, in the above institutions, from the academic year 2010-2011 onwards and the examinations for the new batches of students admitted or to be admitted during 2010-2011, shall be conducted by the University and degrees or diplomas be awarded by the University. The professional Medical Colleges or teaching institutions under the Deemed Universities and the National Institutes established by Central Government shall not come under the jurisdiction of the University.

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

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

(ii) that there shall be a separate Governing Body or Managing Council provided for an affiliated college or group of colleges, receiving aid from the Government or the University, as provided by section 52;

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

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

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

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

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

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

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

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

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

51. *Procedure for permission.*—(1) The University shall prepare a perspective plan for educational development for the location of institutions of higher learning in a manner ensuring equitable distribution of facilities for higher education in Medical and Allied Sciences having due regard, in particular, to the needs of unserved and underdeveloped areas within the jurisdiction of the University. Such plan shall be prepared by the Academic Council and got approved by the Governing Council and shall be placed before the Senate. It shall be updated every five years.

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

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

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

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

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

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

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

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

54. *Granting of autonomous status.*—(1) A University department or institution, affiliated college or recognised institution may apply to the University for grant of autonomous status. The Governing Council on the recommendation of Academic Council may confer the autonomous status.

(2) The autonomous department or institution or college or recognised institution, may constitute its authorities or bodies and exercise the powers and perform the functions and carry out the administrative, academic, financial and other activities of the University, as may be prescribed.

(3) The autonomous department or institution or college or recognised institution may prescribe its own courses of study, evolve its own teaching methods and hold examinations and tests for students receiving instruction in it and award degrees or certificates of its own. Autonomous department or institution or college or recognised institution shall function with the objectives of promoting academic freedom and scholarship on the part of teachers and students which are essential to the fostering and development of an intellectual climate conducive to the pursuit of scholarship and excellence.

55. *Submission of reports and inspection.*—(1) Every affiliated college and recognised institution shall furnish such reports, returns and other particulars as the University may require for enabling it to judge the academic standards and standards of academic administration of the college or recognised institution.

(2) The Vice-Chancellor shall cause every University department, school, centre, affiliated college or recognised institution to be inspected, at least once in every three years, by one or more committees appointed by him in that behalf which shall consist of the following members, namely:—

(i) a Dean or a Chairman of Board of studies nominated by the Vice-Chancellor—Chairperson;

(ii) one expert, in medical education, not connected with the University, nominated by the Vice-Chancellor;

(iii) one expert, to be nominated by the Governing Council:

Provided that no member of such committee shall be connected with the management of college or the institution concerned.

(3) The committee shall submit its report to the Vice-Chancellor for consideration and for further action as may be necessary.

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

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

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

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

58. *Application of provisions of Kerala University Act, 1974.*—Except as otherwise provided in this Act, the provisions of sections 51 to 68 of the Kerala University Act, 1974 (Act 17 of 1974) in respect of affiliated private aided colleges shall apply in the case of private aided colleges affiliated to the University.

CHAPTER VIII

ENROLMENT, DEGREES AND CONVOCATIONS

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

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

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

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

62. *Conferring of degrees, diplomas and certificates.*—(1) The Governing Council may institute and confer such degrees, diplomas, certificates and other academic distinctions as may be recommended by the Academic Council.

(2) The Governing Council may consider and recommend to the Senate the conferment of an honorary degree or other academic distinction on any person, without requiring him to undergo any test or examination, on the ground solely that he, by reason of his eminent position, attainments and public service, is a fit and proper person to receive such degree or other academic distinction and such recommendation shall be deemed to have been duly passed if supported by a majority of not less than two-thirds of the members present at the meeting of the Senate, being not less than one-half of its total membership:

Provided that the Governing Council shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained the prior approval of the Chancellor.

(3) The Governing Council may take a decision on the proposal of the Senate and the Senate shall not entertain or consider any proposal in that behalf without the Vice-Chancellor having obtained prior approval of the Chancellor.

(4) The convocation of the University shall be held at least once during an academic year in the manner prescribed by Statutes for conferring degrees, post-graduate degrees or diplomas or for any other purpose.

63. *Registered graduates.*—(1) Subject to the provisions of sub-section (2), the following persons shall be entitled to have their names entered in the register of registered graduates or deemed registered graduates, maintained by the University, namely:—

(i) who are graduates of the University;

(ii) who are graduates holding a degree in Medical and Allied Sciences of any existing University in the State.

(2) A person shall not be qualified to have his name entered in the register of graduates, if he,—

(i) is of unsound mind and stands so declared by a competent authority;

(ii) is an undischarged insolvent;

(iii) is convicted for an offence involving moral turpitude;

(iv) is a registered graduate of any other University established by law in the State of Kerala.

(3) Every person who intends to be a registered graduate shall make an application to the Registrar in such form and make payment of such fees, as may be prescribed by the Statutes. The Registrar shall, after making such inquiry as he thinks fit, decide whether the person is entitled to be a registered graduate.

(4) If any dispute arises as to whether a person is entitled to have his name entered in the register of graduates, it shall be decided by the Vice-Chancellor after making or causing to be made such inquiry as he thinks fit and such decision shall be final.

(5) The Chancellor may, on the recommendation of the Governing Council supported by a majority of not less than two-third of its members present at its meeting, such majority comprising not less than one-half of its members, remove the name of any person from the register of graduates for such period as the Chancellor thinks fit, if such person has been convicted by a court for any offence which, in the opinion of the Governing Council, is a serious offence involving moral turpitude.

(6) No action under the above sub-section shall be taken unless the person concerned is given an opportunity of being heard.

CHAPTER IX

FINANCE

64. *University Fund.*—(1) All grants and loans received from the State Government, the Government of India, the University Grants Commission and from any other source, all revenues of the University, all fees received, all income such as rent and profits derived from properties and funds vested in the University, all endowments and donations received from any source whatsoever, all other miscellaneous receipts of the University and deposits, remittances and service of

funds, received in connection with the affairs of the University shall form one consolidated fund styled "Kerala University of Sciences Fund" and shall be utilised for the purposes and in the manner laid down in this Act and in the Statutes, Ordinances, Regulations, Bye-Laws and Orders:

Provided that separate accounts may be maintained for specific purposes.

(2) All moneys in the Kerala University of Health Sciences Fund shall be lodged in the Government Treasury or with the prior approval of the Government in the State Bank of India or its associates up to such limits as may be fixed by the Government.

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

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

(5) The University shall establish the following funds, namely:—

(i) general fund;

(ii) salary fund;

(iii) trust fund;

(iv) development and programme fund;

(v) research fund;

(vi) contingency fund; and

(vii) any other fund which, in the opinion of the University, is deemed necessary.

(6) The following shall form part of or be paid into, the general fund,—

(i) non-salary contribution or grant, received from the Government or Central Government or University Grants Commission;

(ii) all incomes of the University from any source whatsoever, including income from fees and charges;

(iii) any sums borrowed from the banks or any other agency, with the permission of the Government;

(iv) sums received from any other source or agency.

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(7) The salary fund shall consist of all amounts received from the Government, Central Government or University Grants Commission towards full or part payment of the salary and allowances. No amount from this fund shall be utilised for a purpose other than payment of salary and allowances.

(8) All income or moneys from trusts, bequests, donations, endowments, subventions and similar grants shall form the trust fund.

(9) (i) The development and programme fund of the University shall consist of all infrastructure development grants received from the State Government, all contributions made by the University Grants Commission for development and research grants received from other funding agencies of the Central Government, United Nations and its affiliates, other international agencies, industries, banks and financial institutions or persons;

(ii) No amount from this fund shall be appropriated to any other fund of the University or expended for any other purpose;

(iii) The development and programme fund shall be utilised in the manner consistent with the object of the programmes for which a suitable code will be adopted to include the guidelines of the funding agency on expenditure and audit, to be granted and approved by the Governing Council.

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

(11) The University shall have and maintain a contingency fund under a separate head of the University accounts which shall be used only for the purposes of meeting any unforeseen expenditure.

(12) Surplus moneys at the credit of these funds, which cannot immediately or at any early date be applied for the purposes aforesaid shall, from time to time, be deposited in the banks as directed by the Governing Council.

65. *Grants from Government.*—(1) The University shall receive as grant-in-aid for its maintenance such sums provided by the Government in the State's annual budget, subject to such conditions as may be fixed by the Government from time to time.

(2) The Government may pay to the Universities such other grants, subject to such conditions as they think fit for specific purposes.

66. *Budget.*—(1) The annual budget estimates along with the financial statements of the University for ensuing financial year shall be prepared by the Finance Officer and presented to Governing Council, under the direction of the Vice-Chancellor before such dates as may be prescribed by the Statutes, for approval. After getting approval of the Governing Council, it shall be presented in the Senate for discussion. But the Senate will have no power to reject the Budget, but it can make suggestions and amendments to the Budget and return the same to the Governing Council for consideration. The Governing Council may accept or reject the recommendation made by the Senate.

(2) The Governing Council shall forward copies of financial estimates or statements as approved, to the Chancellor and the Government.

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

67. *Internal Audit.*—(1) The accounts of the University shall be audited at least once every year and in any case within six months of the close of the financial year by the auditors appointed by the Governing Council from among the firms of Chartered Accountants whose partners have no interest in any of the authorities or affairs of the University.

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

68. *Audit.*—(1) The Government shall appoint auditors to conduct the audit of the accounts of the University and the institutions under the management of the University at regular intervals.

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

(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 short period or for any transaction or series of transactions, the auditor shall send a report to the University and a duplicate copy thereof to the Government.

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

(6) The auditors shall also report on any other matter related 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.

69. *Annual Report.*—(1) The Annual report of the University shall be prepared and published by the University and such report as approved by the Governing Council shall be submitted to the Chancellor, the Government and presented to the Senate. The Senate may consider the annual report in its meeting and may make recommendations as it deems fit. The Governing Council shall take appropriate action on the recommendations of the Senate and report the action taken to the Senate.

(2) The Government shall, as soon as the annual accounts and annual reports are received, cause the same to be laid on the table of the Kerala Legislative Assembly.

CHAPTER X

GRIEVANCE REDRESSAL MECHANISM

70. *Grievances Committee.*—(1) There shall be a Grievances Committee in the University to deal with the grievances of teachers and other employees of the University, constituent colleges and institutions managed by the University, to hear and settle grievances as far as practicable within a reasonable period of not more than six months, and the committee shall make a report to the Governing Council.

(2) It shall be lawful for the Grievances Committee to entertain and consider grievances or complaints and report to the Governing Council for taking such action as it deems fit and the decisions of the Governing Council on such report shall be final.

(3) The Grievances Committee shall consist of the following members, namely:—

(i)	the Pro-Vice-Chancellor	..	Chairperson;
(ii)	two members of the Senate elected by the members of the Senate from among themselves	..	Members;
(iii)	three members of Governing Council elected by the members of the Governing Council from among themselves	..	Members;
(iv)	the Registrar	..	Member Secretary.

(4) The Registrar shall not have a right to vote.

71. *Board of Adjudication.*—(1) There shall be a Board of Adjudication for hearing the grievances and complaints of the students on academic matters concerning the examination, evaluation, results and other related matters referred to it by any authority of the University.

(2) The Board shall consist of the following members:

(i)	Pro-Vice Chancellor	..	Chairman;
(ii)	Dean Students' Affairs	..	Member;
(iii)	three Members of the Governing Council nominated by the Vice-Chancellor	..	Members.

(iv) one representative to be elected from among the members of the General Council of the University Student's Union-Member. His term shall be for one year from the date of appointment.

(3) The procedure for receiving complaints and settlement thereof shall be as may be prescribed by the Statutes.

72. *University Appellate Tribunal.*—(1) The Government shall constitute an Appellate Tribunal for the purposes of this Act.

(2) The Appellate Tribunal shall be a judicial officer not below the rank of a District Judge nominated by the Chancellor in consultation with the High Court.

(3) The term of office of the Appellate Tribunal shall be three years from the date of its nomination.

(4) The Appellate Tribunal shall have the power to make regulations consistent with the provisions of this Ordinance with the previous sanction of the Government for regulating its procedure and disposal of its business. The regulations so made shall be published in the Gazette.

(5) The remuneration and other conditions of service of the Appellate Tribunal shall be such as may be prescribed by the Statutes.

73. *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.

74. *Admission to privileges of other Universities.*—(1) No college in the State of Kerala imparting education in Health and Allied Sciences shall, save with the consent of the University and the sanction of Government, be associated in any way with or seek admission to, any privileges of any other University in India or abroad, except Deemed Universities permitted to operate in the State by the Government and the University Grants Commission and Institutions established by the Government of India or Autonomous Centres or Institutions under the Central Government.

(2) Any such privilege enjoyed by any Medical College or Institution of Health and Allied Sciences situated in the State before the date of commencement of this Act shall be deemed to be withdrawn with effect from such date of commencement of the Act or such date as may be notified by the Government.

(3) On and from the date of commencement of this Act or other date as may be notified by the Government, all colleges and autonomous institutions of Health and Allied Sciences previously admitted to the privileges of, or affiliated to the Universities specified in the Schedule appended to this Act, shall be deemed to be admitted to the privileges of, or affiliated to, the Kerala University of Health Sciences established under section 3 of this Act.

75. *University open to all castes and creeds.*—(1) No citizen of India shall be excluded from any office of the University or from membership of any of its authorities, bodies or committees, or from appointment to any post, or from admission to any degree, diploma, certificate or other academic distinction or course of study on the ground only of sex, race, creed, class, caste, place of birth, religious belief or profession or political or other opinion:

Provided that, the University may maintain, accredit or recognise any college or give affiliation to any college or institution in which admission is given exclusively for women or reserved for women.

(2) The University shall adopt Government policy and orders or directions issued from time to time, in regard to the reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes for appointment to different posts of teachers and non-teaching staff for the purpose of admission of students in the affiliated or constituent colleges, University departments, University institutions or recognised institutions, except in the cases which have been specifically exempted.

(3) The University shall adopt the general policy of Government in regard to the welfare of various categories of weaker sections of the society and minorities as directed by the Government, from time to time.

(4) In making appointments by direct recruitment to posts in any class or category in each Department under the University or the post of non-teaching staff in the University, the University shall mutatis mutandis observe the provisions of clauses (a), (b) and (c) of the rules 14 to 17 of the Kerala State and Subordinate Service Rules, 1958.

76. *Transfer of Government Colleges to University.*—(1) The Government may at any time, by notification in the Gazette, transfer any Government college of Health and Allied Sciences to the University and from the date of such transfer the said college shall be a constituent College of the University.

(2) When any Government College is transferred to the University under sub-section (1) with effect from the date on which such transfer takes place, the following consequences shall ensue, namely:—

(i) all the assets including the properties and liabilities pertaining to the said college shall stand transferred to and vested in the University;

(ii) all members of the teaching staff or other employees of the said college who immediately before the date of such transfer were serving in or were attached to, that college shall stand transferred to the appropriate cadre or category of posts in the University on the same conditions of service as were applicable to them before such transfer and unless and until such conditions are altered with the consent of such persons:

Provided that no such member of the teaching staff or other employee of the said college shall be transferred unless he has been given an opportunity to exercise option for accepting transfer in accordance with the norms decided with the prior approval of Government.

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

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

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

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

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

(v) incur expenditure on any developmental work from the funds received from the Government or University Grants Commission or any person or body for the purposes other than the purposes for which the funds are received;

(vi) take any decision regarding affiliated colleges resulting in increased financial liability, direct or indirect, for the Government;

(2) The University shall be competent to incur expenditure without prior approval of the Government from the funds received from:—

(i) various funding agencies without any share or contribution from the Government;

(ii) fees for academic programmes started on self-supporting basis;

(iii) contributions received from the individuals, industries, institutions, organisations or any person whosoever, to further the objectives of the University;

(iv) contributions or fees for academic or other services offered by the University;

(v) development fund, if any, established by the University for the purposes of,—

(a) creation of posts in various categories for specific period;

(b) granting pay, allowances and other benefits to the posts created through its own funds, provided those posts are not held by such persons, who are holding the posts for which Government contribution is received;

(c) starting any academic programme on self-supporting basis;

(d) incurring expenditure on any development work:

Provided that there shall not be any financial liability, direct or indirect, immediate or future to the Government for incurring such expenditure.

(3) In case of failure of the University to exercise powers or perform duties as specified in this Act and Statutes to be framed or where the University has not exercised such powers or performed such duties adequately or where there has been a failure to comply with any order issued by Government, the Government may, on making such enquiry as it may deem fit, issue a directive to the University for proper exercise of such powers or performance of such duties or comply with the order and it shall be the duty of the University to comply with such direction.

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

CHAPTER XI

MISCELLANEOUS

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

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

79. *Election of teacher as Member of Parliament or Legislative Assembly.*—(1) A teacher from an aided college or institution under the University elected or nominated as a member of the Legislative Assembly of the State, or of the Parliament shall be entitled to treat the period of such membership in the Legislative Assembly or Parliament as on leave without salary and allowances.

(2) A teacher referred to in sub-section (1) shall not be entitled to count the period of such membership of the Legislative Assembly or of the Parliament for the purposes, of pension, seniority and increments.

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

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Provided that such reference shall be made by the Vice-Chancellor to the Chancellor upon a requisition signed by not less than twenty-five members of the Senate.

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

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

83. *Proceedings of the University not to be invalidated.*—No act or proceeding of the Senate or the Governing Council, Academic Council or any other authority or any body or committee of the University including a committee appointed by the Chancellor for the appointment of a Vice-Chancellor, shall be deemed to be invalid at any time merely on the ground that—

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

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

84. *Duty of teachers, etc. in connection with University Examinations.*—(1) It shall be the duty of a teacher or a member of the non-teaching staff of an affiliated college or an officer, teacher or other employee of the University to do any work in connection with an examination conducted by the University which he is required by the competent officer or authority of the University to do.

(2) If any teacher or member of the non-teaching staff of an affiliated college or any officer, teacher or other employee of the University refuses, without sufficient cause to the satisfaction of,—

(i) in the case of a teacher or a member of the non-teaching staff of an affiliated college, an officer not below the rank of Director of Medical Education or Ayurveda Medical Education or Controlling Officer of Homoeo Medical Colleges, as the case may be authorised by the Government in this behalf; and

(ii) in the case of an officer, teacher or other employee of the University, the Vice-Chancellor to do any work in connection with an examination conducted by the University, when required to do so by the competent officer or authority of the University, he shall without prejudice to any other action that may be taken against him, forfeit his pay and allowances for a period of two months commencing on the date of commencement of the examination.

Explanation:—Failure to comply with the requisition of the competent officer or authority of the University shall be deemed to be refusal for the purposes of this sub-section.

(3) An order of forfeiture under sub-section (2) shall be made,—

(i) in the case of a teacher or a member of the non-teaching staff of an affiliated college, by the officer authorised under clause (i) of the said sub-section; and

(ii) in the case of an officer, teacher or employee of the University, by the Vice-Chancellor.

(4) No order of forfeiture shall be made under sub-section (2) without giving the person who may be affected thereby an opportunity of being heard.

(5) Any person aggrieved by an order referred to in sub-section (2) may, within sixty days from the date on which a copy of such order is served on him, appeal to the Appellate Tribunal, and the Appellate Tribunal may, after giving the parties an opportunity of being heard and after such further enquiry as may be necessary, pass such order thereon as it deems fit.

85. *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 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.

86. *Pension, Insurance and Provident Fund.*—With the prior approval of the Government, the University shall make appropriate provisions for the benefit of its officers, teachers, and other employees under its control and service 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.

87. *Proceedings of the Senate, Governing Council and Academic Council.*—The Registrar shall forward to the Government within one month of the date of any meeting of the Senate or Governing Council or Academic Council, copies of the proceedings of such meetings.

88. *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, hospitals and equipments and of any institutions maintained, recognised or approved by or affiliated to 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 sub-section (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 there at.

(3) The Government shall communicate to the Governing Council the result of any inspection or enquiry made under sub-section (1) and may after ascertaining the opinion of the Governing Council thereon convey their views to the Senate and to the Governing Council.

(4) The Government may after considering the views of the Senate and the Governing Council on the result of any inspection or inquiry under sub-section (1) advice the University upon the action to be taken in the matter.

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

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

(7) Where the Senate or the Governing Council 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 or representation made, by the Senate or the Governing Council in the matter, issue such directions as they may think fit, and the Senate and the Governing Council shall comply with such directions.

89. *Appointment of Commission to enquire into the working of University.*—(1) The Government may at any time and shall, at the expiration of ten years from the date of 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, to enquire into the working of the University and such order shall contain the procedure to be followed by the Commission.

(2) The Commission constituted under sub-section (1) shall enquire into and report on—

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

(ii) the financial position of the University including the financial position of its colleges and departments;

(iii) any change to be made in the provisions of this Act or the Statutes, Ordinances, Regulations and Bye-laws with a view to bring about improvements 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 on the recommendations of the Commission under sub-section (2) the Government shall forthwith refer such reports and recommendations to the Governing Council for consideration and report.

(4) Immediately after the Governing Council has considered the report and recommendations of the Commission and submitted its reports to the Government, the Government shall consider the report of the Governing Council and pass such orders thereon as they think fit and shall also cause the same to be published in the Gazette.

90. *Powers of Government to make Rules.*—(1) The Government may, by notification in the Gazette, make rules, not inconsistent with the provisions of this Act, for the purpose of exercising the powers and discharging the duties conferred or imposed on the Government by this Act.

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

91. *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 provisions of this Ordinance, the Government may, by order, do anything not inconsistent with the provisions of this Act, which appears to them necessary for the purpose of removing the difficulty:

Provided that no order under this sub-section shall be issued by the Government after the expiry of a period of two years from the commencement of this Act.

(2) 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 the expiry of the session in which it is so laid or the session immediately following the Legislative Assembly makes any modification in the order or decides 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; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.

CHAPTER XII

TRANSITORY PROVISIONS

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

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

(3) Notwithstanding anything contained in this Act and the Statutes, Ordinances or Regulations made under this Act, any student who immediately prior to the date of commencement of this Act was studying for a Degree in Health and Allied Sciences in any of the Universities specified in the Schedule to this Act be conferred degree in Health and Allied Sciences of the respective Universities for which he qualifies based on the result of such examination.

93. *Repeal and Saving.*—(1) The Kerala University of Health and Allied Sciences Ordinance, 2010 (48 of 2010) is hereby repealed.

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

SCHEDULE

Serial Number	*Name of the University*
1	University of Kerala, Thiruvananthapuram
2	Mahatma Gandhi University, Kottayam
3	Calicut University, Kozhikode
4	Kannur University, Kannur
5	Cochin University of Science and Technology, Kochi
6	Sri Sankaracharya University of Sanskrit, Kalady.