



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

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GOVERNMENT OF KERALA

Law (Legislation-I) Department

NOTIFICATION

No. 1118/Leg.I 2/2020/Law.

Dated, Thiruvananthapuram, 18th February, 2020
5th Kumbham, 1195
29th Magha, 1941.

The following Ordinance promulgated by the Governor of Kerala on the 17th day of February, 2020 is hereby published for general information.

By order of the Governor,

ARAVINTHA BABU, P. K.
Law Secretary



ORDINANCE No. 17 OF 2020**THE KERALA UNIVERSITY OF DIGITAL SCIENCES,
INNOVATION AND TECHNOLOGY ORDINANCE, 2020**

Promulgated by the Governor of Kerala in the Seventy First Year of the Republic of India.

AN

ORDINANCE

to establish and incorporate a non-affiliating research and teaching University in the State of Kerala to facilitate and promote studies, research, incubation and extension work in Digital Technologies and its application domains and also to achieve excellence in the said fields and allied areas.

Preamble.—WHEREAS, it is expedient to establish and incorporate a University for advanced teaching and innovative research programmes in Digital Sciences, Technology and Humanities applications to supply trained technology professionals and academicians and to extend support to the State Government for leadership in development of knowledge ecosystem, to assist in e-governance, to support in technology enabled management of State's traditional industries such as coir, cash crops, agriculture, fisheries and emerging industries through its training, research and application in the State of Kerala and to provide for matters connected therewith or incidental thereto;

AND WHEREAS, the Kerala University of Digital Sciences, Innovation and Technology Ordinance, 2020 (9 of 2020) was promulgated by the Governor of Kerala on the 18th day of January, 2020;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in and passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 29th day of January, 2020 and ended on the 12th day of February, 2020;



AND WHEREAS, under sub-clause (a) of clause (2) of Article 213 of the Constitution of India, the Kerala University of Digital Sciences, Innovation and Technology Ordinance, 2020 (9 of 2020) will cease to operate on the 11th day of March, 2020;

AND WHEREAS, difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala University of Digital Sciences, Innovation and Technology Ordinance, 2020.

(2) It shall come into force on such date as the Government may, by notification in the official Gazette appoint.

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

(a) “Academic staff” means such categories of staff as are designated by the Statutes to be the academic staff of the Institute;

(b) “Board of Directors” means the Board of Directors of the Indian Institute of Information Technology and Management Kerala, the sponsoring entity of the University as described in section 7;

(c) “Board of Governors” means the Board of Governors of the University;

(d) “Campus” means the unit established or constituted by the Institute for making arrangements for instruction or research or both;

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



(f) “Company” means the Indian Institute of Information Technology and Management-Kerala, a Company established by the Government of Kerala under the Companies Act,1956 (Central Act 1 of 1956);

(g) “Council” means the General Council of the University established under section 17;

(h) “Dean” means the Dean of the University;

(i) “Fund” means the University Fund referred in section 30;

(j) “Government” means the Government of Kerala;

(k) “Institute” means the Kerala University of Digital Sciences, Innovation and Technology established under this Ordinance;

(l) “Officer” means an officer of the University specified in Chapter III of this Ordinance or any other person designated as an officer by the Statutes;

(m) “Order” means order issued by the University;

(n) “Prescribed” means prescribed by Statutes and Regulations made under this Ordinance;

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

(p) “Regulations” means the regulations of the University made under this Ordinance;

(q) “Scheduled Castes” shall have the same meaning assigned to it in clause (24) of Article 366 of the Constitution of India;

(r) “Scheduled Tribes” shall have the same meaning assigned to it in clause (25) of Article 366 of the Constitution of India;

(s) “Senate” means the Senate of the University constituted under section 21;

(t) “Sponsoring entity” means the sponsoring entity as described in section 7;

(u) “State” means the State of Kerala;

(v) “Statutes” means the Statutes made by the University in accordance with the provisions of this Ordinance;

(w) “Student” means a person duly admitted to and continuing in the University for undergoing research programmes, training in digital sciences, technology and humanities instituted by the University;



(x) “Teachers” means professors, associate professors, assistant professors, lecturers and such other persons as may be appointed for imparting instructions or conducting research in the Institute and are designated as teachers by the Statutes;

(y) “University” means the Kerala University of Digital Sciences, Innovation and Technology established and incorporated under this Ordinance;

(z) “Vice-Chancellor” means the Vice-Chancellor of the University.

CHAPTER II

THE UNIVERSITY

3. *Establishment and Incorporation of the University.*—(1) There shall be established and incorporated a University by the name “Kerala University of Digital Sciences, Innovation and Technology”.

(2) The University shall consist of Chancellor, Pro-Chancellor, Vice-Chancellor, Dean, Registrar, General Council, Board of Governors, Senate, other authorities and officers as set forth in this Ordinance or as provided in the Statutes made thereunder.

(3) The University shall be a body corporate having perpetual succession and a common seal with power, subject to the provisions of this Ordinance, to acquire and hold property both movable and immovable, to lease or sell or otherwise transfer any movable or immovable property which may have become vested in or have been acquired by it for the purpose of the University, to borrow money from the Central Government or any other State Government or from any body corporate approved by the Government, to contract and to do all other things necessary for the purposes of this Ordinance and shall by the said name sue or be sued.

(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 authorized by him in this behalf and all the processes in such suits and proceedings shall be issued to and served on the Registrar.

(5) Where the Government decide that the educational facilities offered by the University shall be given on a subsidised rate to the needy and deprived sections of the society, the Government shall make good the amount of subsidy incurred by the University.



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

(a) to facilitate and promote post graduate education, research, training and consultancy work in Information Technology and its application domains;

(b) to support creation of high quality human resources in digital technologies through variety of educational programs, skill development initiatives and industry relevant courses;

(c) to achieve excellence in Digital Technology and matters connected therewith or incidental thereto;

(d) to create a paradigm shift in the way of Information Technology and Digital Technologies that can be used for improving the delivery of services in selected domains;

(e) to enable industry to develop state of art products and services;

(f) to create an impact on the fellow academic community in India and abroad; and

(g) to attract best minds of the world and to be completely globally integrated.

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

(a) to provide instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge and skills;

(b) to grant, subject to such conditions as the University may determine, diplomas and certificates to and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing on person;

(c) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(d) to set up Independent Centers of Excellence (ICOE's), Independent Training and Outreach Centers and other such entities involved in research, training and consulting with independent financial and operational autonomy in compliance with the Statutes of the University;

(e) to amalgamate existing research organizations, training entities under the Government to work as extension centers, Independent Centres of Excellence, Training and Outreach Centres within the University in compliance with the Statutes with explicit permission of the Government;



- (f) to organize and to undertake extramural studies and extension services;
- (g) to create and administer contractual, administrative, ministerial and other posts in the University and to appoint persons to such posts;
- (h) to fix the salary structure including allowances, provident fund and other allowances of all posts mentioned in sub-clause (g) so as to meet the minimum norms of regulatory bodies, provided that the net salaries may be higher than those prescribed by the regulatory bodies but in no case lower to determine the contractual terms, length and tenure of contract, expectations, roles and responsibilities etc., associated with the contract for all academic, teaching and other employees; to establish revenue sharing mechanisms with all its employees;
- (i) to appoint persons working in any other Universities or organizations as teachers of the University for a specified period;
- (j) to create performance based incentive system to attract and retain world class talents in the University, schools and research centres;
- (k) to associate with industry, non governmental organizations and other research organizations to set up chair positions to pursue advanced research and practice;
- (l) to form mutually beneficial relationships with other Universities in India and abroad involving exchange of knowledge, technology, students and faculties and to facilitate mutual establishment of research centers focused on digital sciences, technology and humanities;
- (m) to associate with international research agencies, funding agencies and foundations for taking up research and studies in Digital Sciences, Technologies and Humanities;
- (n) to generate and monetize the intellectual property through research and consulting;
- (o) to co-operate, collaborate or associate with any other University, authority or organization of higher learning, industry and corporate house, laboratory, engaged in cutting-edge work, in such manner and for such purposes as the University may determine;
- (p) to approve persons working in organizations mentioned in sub-clause (o) for imparting instruction or supervising research or both or to withdraw such approval;



(q) to build up a body of academia to perform academic functions and to pay them remuneration in the manner prescribed;

(r) to prescribe fee and other charges to be levied on the students;

(s) to set up facilities like computer centers, laboratories, library etc.;

(t) to set up curriculum development centers for different subjects;

(u) to determine standards for admission to the University which may include examination, evaluation or any other method of selection;

(v) to institute and award fellowships, scholarships, medals and prizes;

(w) to demand and receive fees or other charges for extension work;

(x) to supervise the residence of students of the University and to make arrangements for promoting their health and general welfare;

(y) to make such special arrangements in respect of women students as the University may consider desirable;

(z) to regulate the conduct of the students of the University;

(za) to regulate the work and conduct of the teachers and employees of the University;

(zb) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary;

(zc) to make arrangements for promoting the health and general welfare of the teachers and employees of the University;

(zd) to receive benefactions, donations and gifts from persons and to name such chairs, institutions, buildings and like as the University may determine;

(ze) to acquire, hold, manage and dispose of any property, movable or immovable including trust and endowment properties, for the purposes of the University except for the land acquired or building constructed with the assistance of the Government in which case prior approval of the Government shall be required;

(zf) to borrow, with the approval of the Government, on security of the property of the University, moneys for the purposes of the management and development of the University;



(zg) to assess the needs in terms of subjects, fields of specialization, level of education and training of technical manpower, both on short and long term basis, and to initiate necessary programmes to meet these needs;

(zh) to provide for instruction through online interactive learning and to provide mobility of students from the non-formal (open learning) stream to the formal stream and vice-versa; and

(zi) to do all such other acts and things as may be necessary or incidental to the exercise of all or any of the powers of the University or necessary or conducive to the attainment of all or any of the objects of the University.

6. *Admission to the University.*—(1) Subject to the provisions of this Ordinance and the Statutes and in compliance with the principles of reservation in force, from time to time, admission to the University shall be open to persons of all gender and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person, any test, whatsoever of religious belief or profession or political opinion in order to entitle him to be appointed as a teacher of the University or to hold any other office therein or to be admitted as a student of the University, or to graduate there, or to enjoy or exercise any privilege thereof.

(2) The University shall be open to students of any nationality and they may be admitted in the manner as may be prescribed.

(3) Nothing in this section shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker section of the society, and in particular of persons belonging to Scheduled Castes and Scheduled Tribes.

7. *Sponsoring Entity.*—(1) The Indian Institute of Information Technology and Management-Kerala (IIITMK), a Company incorporated under section 25 of the Companies Act, 1956 with certificate No.09-14187 of 2000 dated 5-9-2000, shall be the sponsoring entity for the University.

(2) Sponsoring entity shall transfer land and other infrastructure as may be required for the establishment of the University and, as and when the University is established the power of governance shall vest with the Chancellor and other officers of the University as specified in sections 8, 9 and 10;

(3) The power of appointment of Vice-Chancellor shall vest with the Chancellor as specified in section 11.



CHAPTER III
CHANCELLOR, VICE-CHANCELLOR AND OTHER
OFFICERS OF THE UNIVERSITY

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

(2) The Chancellor shall be the Head of the University and shall, when present, preside over the meetings of the General Council and the convocation of the University.

(3) No honorary degree or distinctions shall be conferred by the University upon any person without the approval of the Chancellor.

(4) Without prejudice to the foregoing provisions of this section, the Chancellor may by order in writing annul any proceedings of the University which is not in conformity with this Ordinance or the Statutes or the Regulations:

Provided that before making any such order, the Chancellor shall call upon the University to show cause why such an order should not be made.

(5) The Chancellor shall have the power to remove Vice-Chancellor or any other officers of the University in the event of malfeasance. In exercising such power of removal, the Chancellor shall form his opinion based on the recommendation of the Government, which in turn shall be based on due inquiry against the person, who is proposed to be removed.

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

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

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

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



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

- (i) the Vice-Chancellor;
- (ii) the Deans;
- (iii) the Registrar;
- (iv) the Controller of Examinations; and
- (v) such other officers including non-teaching and support staff in the service of the University as may be prescribed by the Statutes.

11. *The Vice-Chancellor.*—(1) The Vice-Chancellor shall be a scholar of eminence in the area of Digital Technology or Computer Science or Computer Engineering or Management and having administrative experience in an institution of higher learning.

(2) The Vice-Chancellor shall be the principal academic and the chief executive officer of the University and shall exercise supervision and control over the affairs of the University by or under this Ordinance.

(3) Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Search cum Selection Committee appointed by him, consisting of the following members, namely:—

- (a) One expert member from Information Technology Industry;
- (b) One expert member from Academia;
- (c) One nominee of University Grants Commission;
- (d) One nominee of the State Government; and
- (e) One nominee of Board of Directors of the sponsoring entity of the University.

(4) Notwithstanding anything contained in this Ordinance or the regulations, the first Vice-Chancellor shall be appointed by the Chancellor on the recommendation of the Government on such terms and conditions as may be specified.

(5) The term of office of the Vice-Chancellor shall be four years from the date on which he enters the office or until he attains the age of sixty five years, whichever is earlier.



(6) The Vice-Chancellor may, if he is of the opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Ordinance and shall report to such authority, the action taken by him on such matter:

Provided that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section, shall have the right to appeal against such action to the General Council within ninety days from the date on which such action is communicated to him and thereupon the General Council may confirm or reverse or modify the action taken by the Vice-Chancellor.

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

12. *The Deans.*—The number of Deans shall be determined by the Board of Governors. Every Dean shall be appointed from the Professors based on seniority for a maximum period of three years by the Vice-Chancellor. A person who completes his tenure as Dean may be re-appointed as Dean only if all other Professors of University had occupied the position already and/or the Board of Governors had taken a decision on re-appointment in an exceptional case. Under no circumstance, a person will be appointed as a Dean for more than two terms of three years each.

13. *The Registrar.*—(1) The Registrar shall be appointed in such manner, on such terms and conditions of service and shall exercise such powers and perform such functions, as may be prescribed.

(2) The Registrar as empowered by the Board of Governors shall have the power to enter into and sign agreements and authenticate records on behalf of the University.

14. *The Controller of Examinations.*—(1) The Controller of Examinations shall be the principal officer-in-charge of the conduct of examinations and tests of the University and declaration of their results and shall discharge the functions under the superintendence, direction and guidance of the Vice-Chancellor.

(2) The Controller of Examinations shall be appointed in such manner, on such terms and conditions of service and shall exercise such powers and perform such functions, as may be prescribed.



15. *Other officers.*—The manner of appointment, emoluments, powers and duties of the other officers of the University shall be such as may be prescribed.

CHAPTER IV

AUTHORITIES OF THE UNIVERSITY

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

- (i) the General Council;
- (ii) the Board of Governors;
- (iii) the Senate;
- (iv) the Finance Committee;
- (v) the Academic Council;
- (vi) the Research Council; and
- (vii) such other bodies of the University as may be designated by the Statutes to be the authorities of the University.

17. *The General Council.*—(1) The Government shall by notification in the official gazette, constitute a General Council for the University to be headed by the Chancellor and such other members not exceeding eleven, and who shall be experts or officers of the Government. The terms and conditions of appointment of members of the General Council shall be as notified by the Government in the official gazette.

(2) The constitution of General Council shall be as follows:—

- (i) Chancellor—Chairperson;
- (ii) Pro-Chancellor—Vice Chairperson;
- (iii) Minister-in-charge of Higher Education, Government of Kerala—Member;
- (iv) Chairperson of the Board of Directors of the Company—Member;
- (v) Chairperson of the Board of Governors—Member;
- (vi) One senior representative from UGC—Member;



(vii) Two persons of international repute in Information Technology or allied sectors nominated by Chancellor from Information Technology Industry at the level of Managing Director or above—Members;

(viii) Principal Secretary or Secretary to Government, Electronics and Information Technology Department—Member;

(ix) Principal Secretary or Secretary to Government, Higher Education Department—Member; and

(x) Vice-Chancellor—Member.

(3) The Registrar shall be the Secretary to the General Council.

(4) Subject to the provisions of this Ordinance, the General Council shall have the following powers and functions, namely:—

(i) to proactively identify trends and directions and develop a strategic plan for the University; plan and monitor the execution of the said plan; keep the vision and mission of the University relevant to emerging trends and directions;

(ii) to formulate policies to execute the strategic plan;

(iii) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(iv) to consider and pass resolution on the annual report and the annual accounts of the University and also consider report of the auditor on such accounts;

(v) to advise the Chancellor in respect of any matter which may be referred to it for advice;

(vi) to set up a Search cum Selection committee for the appointment of the Vice-Chancellor; and

(vii) to perform such other functions as may be prescribed.

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

(i) an expert of international eminence with substantial experience in Information Technology industry, nominated by the Government—Chairperson;



(ii) Principal Secretary or Secretary to Government, Department of Electronics and Information Technology—Ex-officio Member;

(iii) Principal Secretary or Secretary to Government, Department of Finance—Ex-officio Member;

(iv) Principal Secretary or Secretary to Government, Department of Higher Education—Ex-officio Member;

(v) one Nominee of Higher Education Council, Government of Kerala—Ex-officio Member;

(vi) Vice-Chancellor, A. P. J. Abdul Kalam Technological University, Kerala—Ex-officio Member;

(vii) one representative of the Ministry of Communication and Information Technology, Government of India—Ex-officio Member;

(viii) one nominee of Department of Science and Technology, Government of India—Ex-officio Member;

(ix) Director, Indian Institute of Technology, Palakkad—Ex-officio Member;

(x) Director, Indian Institute of Management, Kozhikode—Ex-officio Member;

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

(xii) Director, Indian Institute of Space Science and Technology, Thiruvananthapuram—Ex-officio Member;

(xiii) Director, Sree Chithira Thirunal Institute for Medical Sciences and Technology (SCTIMST)—Ex-officio Member;

(xiv) Director, National Institute of Interdisciplinary Science and Technology, Thiruvananthapuram—Ex-officio Member;

(xv) four experts from industry or academia with proven expertise in education, research or practice in Information Technology and allied disciplines, to be nominated by the Chairperson, from a panel of eight persons submitted by the Vice-Chancellor—Members;

(xvi) The Vice-Chancellor—Ex-officio Member;



(xvii) two professors of the University to be nominated by Vice-Chancellor—Members; and

(xviii) one student representative of the Students Council, nominated by Vice-Chancellor—Member.

(2) Registrar shall be the Secretary of the Board of Governors.

19. *Term of office and allowances payable to the members of the Board of Governors.*—

(1) Save as otherwise provided in this Ordinance, the term of office of the members of the Board of Governors shall be as follows, namely:—

(i) an ex-officio Member shall continue so long as he holds the office by virtue of which he is a member;

(ii) an expert member shall hold office for a period of three years from the date of his nomination. However, his term may be extended for a further period of two years;

(iii) the student member shall hold office for one year; and,

(iv) members nominated under clause (xvii) of sub-section (1) of section 18 shall hold office for two years.

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

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

(4) The allowances that are entitled to the members of the Board of Governors shall be such as may be provided in the Statutes.

20. *Functions of the Board of Governors.*—(1) Subject to the provisions of this Ordinance, the Board of Governors shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise all the powers of the University not otherwise provided for by this Ordinance, the Statutes or the Regulations, and shall have the power to review the work of the Senate.

(2) Without prejudice to the provisions in sub-section (1) the Board of Governors shall have the following powers, namely:—

(i) take decisions on questions of policy relating to the administration and working of the University;



(ii) to determine the courses of study and decide on the admission criteria;

(iii) to fix the fee for various courses;

(iv) to make, amend or repeal statutes on its own motion or on therecommendation of the authorities of the University;

(v) to create posts and appoint persons to academic as well as other posts in the University and determine their the terms and conditions of service;

(vi) to consider, modify or cancel Regulations;

(vii) to consider and pass resolutions on annual reports, annual accounts and the budget estimates of the University for the next financial year together with a statement of its development plans as it thinks fit; and

(viii) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Ordinance or the Statutes.

(3) The Board of Governors shall have the power to appoint such committees as it considers necessary for the exercise of its powers or perform its duties under this Ordinance.

(4) The Board of Governors shall meet at least four times in a year.

(5) The quorum for a meeting of the Board of Governors shall be one third of the total members.

21. *The Senate.*—(1) The senate shall be the principal academic body of the University and subject to the provisions of this Ordinance, the Statutes and the Regulations shall,—

(i) be responsible for interacting with the Board of Governors through the Vice-Chancellor for formulation of academic policies and programmes to realize the strategic plan of the University;

(ii) control the maintenance of standards of instruction, education and examination within the University; and

(iii) exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

(2) The constitution of the Senate and the terms of office of its members shall be as prescribed in the Statutes.



(3) The Senate shall have the right to advise the Board of Governors on all academic matters.

22. *Finance Committee.*—(1) There shall be a Finance Committee constituted by the Board of Governors consisting of the following members, namely:—

(i) Vice-Chancellor;

(ii) two members nominated by the Board of Governors from its members of whom one shall be a Professor; and

(iii) such other members as may be prescribed by the Statutes.

(2) The members of the Finance Committee other than the Vice-Chancellor and Professor, shall hold office so long as they continue as members of the Board of Governors.

(3) The Functions and duties of the Finance Committee shall be as follows, namely:—

(i) to examine and scrutinize the annual budget of the University and to make recommendations on financial matters to the Board of Governors;

(ii) to consider all proposals for new expenditure and to make recommendations to the Board of Governors;

(iii) to consider the periodical statement of accounts and to review the accounts of the University from time to time and to consider re-appropriation statements to the Board of Governors; and

(iv) to give its views and to make recommendations to the Board of Governors on any financial question affecting the University either on its own initiative or on reference from the Board of Governors.

(4) The Finance Committee shall meet at least four times in a year. The quorum for the meeting of the Finance Committee shall be one third of the total members.

(5) The Vice-Chancellor shall preside over the meetings of the Finance Committee and in his absence, a member elected at the meeting shall preside over. In the case of difference of opinion among the members, the opinion of the majority of the members present shall prevail.

23. *Academic Council.*—Academic Council shall consists of all teaching faculty of the Institute and headed by the Vice-Chancellor. The Academic Council shall be responsible for



all academic programs of the University including education, training and extension programs which the University may conduct from time to time with the approval of Board of Governors. The Academic Council may set up separate Board of Studies for various streams of education as well as for various programmes as per the Statutes.

24. *Research Council.*—(1) There shall be a Research Council consisting of the following members, namely:—

(i) Vice-Chancellor;

(ii) Deans;

(iii) Heads of Independent Centres of Excellence in Research, Heads of Interdisciplinary Centres of Excellence in Research and Heads of Research Centres within the various Schools of the University; and

(iv) Two directors or scientists from research institutions in the area of Digital Sciences, technology or humanities, nominated by the Board of Governors.

(2) The members of Research Council shall be nominated by Vice-Chancellor in consultation with the Board of Governors.

(3) Dean of Research nominated by Vice-Chancellor shall be the Co-ordinator of the Research Council.

(4) Research Council shall be responsible for stewarding of all research activities of the University. Research Council shall also solicit external research projects and shall establish research centers in various parts of the State to support research in Digital Technologies. Research Council shall also be responsible for creating linkage with leading national and international universities, agencies and organizations to facilitate high quality research in the University.

(5) The duties of the Research Council shall be as may be prescribed by the Statute.

25. *Other Authorities.*—The constitution, powers and functions of the other authorities that may be declared by the Statutes to be authorities of the University, shall be such as may be prescribed.



CHAPTER V

STATUTES AND REGULATIONS

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

(i) constitution, powers and functions of the authorities and other bodies of the University, as may be found necessary to be constituted from time to time;

(ii) election and continuance in office of the members of the authorities and other bodies and all other matters relating thereto which the University may deem necessary or desirable to provide;

(iii) manner of appointment of officers of the University, their terms and conditions of services, powers, duties and emoluments;

(iv) creation of posts in different cadre of teachers, academic staff and other employees, manner of their appointment, determination of their terms and conditions, salary structure including allowances and other connected matters;

(v) creation of scholarships, assistantship, campus jobs, other opportunities of similar nature for students, fixing their value along with roles, responsibilities, terms and conditions;

(vi) manner of appointment of teachers and other academic staff working in any other University to the University for a specified period, their terms and conditions of service and emoluments;

(vii) constitution of the pension fund, provident fund and the establishment of an insurance scheme for the benefit of the employees of the University;

(viii) the procedure for any appeal by officers, teachers, employees, other academic staff or students of the University;

(ix) conferment of honorary degrees;

(x) institution of medals, prizes and other incentives;

(xi) maintenance of discipline among the employees of the University;

(xii) establishment of chairs, schools of studies, departments, centres and allied institutions;



(xiii) matters relating to the delegation of powers vested in the authorities or the officers of the University; and

(xiv) any other matters as prescribed by the Statutes, or which is necessary to give effect to the provision of this Ordinance.

27. *Procedure for making Statutes.*—(1) The first Statute shall be made by the Government with the prior approval of the Chancellor immediately after the commencement of this Ordinance.

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

Provided that the Board of Governors shall not make, amend or repeal any Statutes affecting the status, power or constitution of any authority of the University until such authority has been given a reasonable opportunity of expressing its opinion in writing on the proposed change.

(3) Every new Statute or addition to the Statutes or any amendment or repeal thereof shall require the approval of the Chancellor, who may assent or remit it to the Board of Governors for reconsideration in the light of the observations, if any made by him.

(4) A new Statute or a Statute amending or repealing an existing Statute shall not be valid unless it has received the assent of the Chancellor.

28. *Regulations.*—(1) Subject to the provisions of this Ordinance and the Statutes, Regulations may be provided for all or any of the following matters, namely:—

(i) admission of the students, the course of study and the fee thereof, the qualification pertaining to the award of degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of fellowships and awards and the like;

(ii) conduct of examination, appointment of examiners and others, their terms and conditions;

(iii) conditions of residence of students and their general discipline;

(iv) procedure for the settlement of dispute between the employees and the University, or between the students and the University;

(v) maintenance of discipline among the students of the University;



(vi) regulations of the conduct and duties of the teachers, employees, other academic staff and students of the University;

(vii) the categories of misconduct for which action may be taken under this Ordinance or the Statutes or the Regulations; and

(viii) any other matter which, by or under the provisions of this Ordinance or the Statutes, is to be or may be provided for by the Regulation.

(2) The first Regulation shall be made by the Vice-Chancellor with the approval of the Government or Board of Governors and the Regulation so made may be amended, repealed or added to, at any time by the Board of Governors in such manner as may be prescribed.

29. *Annual Report.*—(1) The annual report of the University shall be prepared under the direction of the Vice-Chancellor and shall include among other matters, the steps taken by the University towards the fulfillment of its objectives in accordance with the overall directions and general policies set by the General Council;

(2) The annual report so prepared shall, after the approval of the Board of Governors, be submitted to the Chancellor by such date as may be prescribed.

30. *Funds of the University.*—(1) There shall be a fund for the University to be called the University Fund, which shall include,—

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

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

(iii) any contribution or grant made by the Industry, corporates or business houses;

(iv) any bequests, donations, endowments or other grants made by private individuals and other Trusts, public or private;

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

(vi) amounts received from any other source.

(2) The amount in the Fund shall be kept in a scheduled bank or banks as may be decided by the Board of Governors.

(3) The Funds may be utilized for such purpose of the University and in such manner as may be prescribed by regulations.



31. *Annual Accounts.*—(1) The annual accounts and the balance sheet of the University shall be prepared under the directions of the Vice-Chancellor, and approved by the Board of Governors and shall, at least once in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India or such person or persons as he may authorize in this behalf.

(2) A copy of the accounts together with the audit report shall be submitted to the Chancellor along with the observations, if any, of the Board of Governors.

(3) Any observation made by the Chancellor on the annual accounts shall be brought to the notice of the Board of Governors.

(4) A copy of the accounts together with the audit report, as submitted to the Chancellor, shall also be submitted to the Government, which shall after necessary approval be laid before the Legislative Assembly of the State of Kerala.

32. *University Appellate Tribunal.*—(1) The Government shall constitute an Appellate Tribunal or notify any other existing tribunal so notified for the purposes of this Ordinance.

(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 of Kerala.

(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 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.

33. *Provident Fund and Pension Funds.*—The University shall constitute for the benefit of its employees such provident fund or pension fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions, as may be prescribed.

34. *Chancellor to decide disputes.*—If any question arises regarding the interpretation of any provisions of this Ordinance or of any Statutes or Regulations as to whether any person who has been duly appointed or nominated or co-opted is entitled to be a member of any



authority or body of the University, the matter may be referred, on petition by any person or body directly affected, or *suo 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.

35. *Filling up of casual vacancies.*—All casual vacancies among the members, of any authority or other body of the University shall be filled as soon as may be convenient, by the person or body who appoints, elects or co-opts the members whose place has become vacant and any person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills, would have been a member.

36. *Proceedings of the authorities or bodies of the Universities not invalidated by vacancies.*—No act or proceedings of any authority or other body shall be invalidated merely by reason of the existence of any vacancy or vacancies among its members.

37. *Protection of action taken in good faith.*—No suit or other legal proceedings shall lie in any court against the University or against any authority, officer or employee of the University or against any person or body of persons acting under the order or direction of any authority or officer or other employee of the University for anything which is in good faith done or intended to be done in pursuance of the provisions of this Ordinance, the Statutes or the Regulations.

38. *Mode of proof of University records.*—A copy of any receipt, application, notice, other proceedings and resolution of any authority or committee of the University, or other documents in the possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar shall, notwithstanding anything contained in the Indian Evidence Act, 1872 (1 of 1872) or in any other law for the time being in force, be admitted as evidence of the matters and transactions specified therein, where the original thereof would, if produced, have been admissible in evidence.

39. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, by order, published in the official Gazette, make such provisions not inconsistent with the provisions of this Ordinance, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Ordinance.



40. *Transitional Provisions.*—Notwithstanding anything contained in this Ordinance and the Statutes, the first Board of Governors shall be nominated by the Chancellor and shall hold office for a term of three years.

41. *Statutes and Regulations to be published in the official Gazette and to be laid before the Legislature.*—(1) Every Statutes and Regulations made under this Ordinance, shall be published in the official Gazette.

(2) Every Statutes and Regulations made under this Ordinance 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 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 amendment in the Statutes or Regulations or decides that Statutes or Regulations should not be made, the Statutes or Regulations shall, thereafter, have effect only in such form as amended or be of no effect, as the case may be; so, however, that any such amendment or annulment shall be without prejudice to the validity of anything previously done under that Statutes or Regulations.

42. *Repeal and saving.*—(1) The Kerala University of Digital Sciences, Innovation and Technology Ordinance, 2020 (9 of 2020) is hereby repealed.

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

ARIF MOHAMMED KHAN,
GOVERNOR.

