

GOVERNMENT OF KERALA

**Law (Legislation I) Department**

NOTIFICATION

No.19540/Leg.I/2010/Law

Dated, Thiruvananthapuram, 28<sup>th</sup> January, 2011  
8<sup>th</sup> Magha, 1932

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to authorize the publication in the Gazette of the following translation in English language of the Kerala University of Fisheries and Ocean Studies Act, 2010 (5 of 2011).

By order of the Governor,

K. MADHUSUDANAN NAIR,  
Special Secretary (Law)

[Translation in English of “2010 -se tlcf ^nj-dokn\pw kap-{Z]T\§Äj papÅ kÄÆlem-ime BlvSv” published under the authority of the Governor.]

## ACT 5 OF 2011

### THE KERALA UNIVERSITY OF FISHERIES AND OCEAN STUDIES ACT, 2010

*An Act to establish and incorporate a University of Fisheries and Ocean Studies 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 for the development of fisheries and ocean studies and for ensuring proper and systematic instruction, teaching, training and research and extension exclusively in fisheries and ocean studies in the State of Kerala 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 - 1

#### PRELIMINARY

1. *Short title, extent and commencement.* - (1) This Act may be called the Kerala University of Fisheries and Ocean Studies Act, 2010.
  - (2) It extends to the whole of the State of Kerala
  - (3) It shall deemed to have come into force on 20<sup>th</sup> day of Novermber, 2010.
2. *Definitions* - In this Act, unless the context otherwise requires, -
  - (a) “Academic Council” means an Academic Council of the University constituted under section 17;
  - (b) “Authority” means any authority of the University specified in section 9’
  - (c) “Chancellor” means the Chancellor of the University;
  - (d) “Extension education” means the educational activities concerned with Fisheries and Ocean Studies and training of fishermen, fish farmers and other groups serving fishing in modern fish farming practices and the various phases of scientific technology related to fisheries and fish production, processing and marketing and includes demonstration to carry out the new technology and innovation through colleges, schools and regional centres concerned with the subject mater of demonstration;
  - (e) “Department” means a Department specified in section 23’
  - (f) “Dean” means head of the faculty of the University;
  - (g) “Department Governing council” means the Department Governing Council specified in section 24;
  - (h) “Director of Extension” means the Director of Extension appointed under section 42;

- (i) "Director of Research" means the Director of Research appointed under section 41;
- (j) "Director of School" means the Director of schools appointed under section 43'
- (k) "Finance Officer " means the Finance Officer of the University appointed under section 37;
- (l) "fisheries" means fishing, fish farming related to the conservation, development, propagation, protection, exploitation, processing, value adding like activities of fishing and fish products connected with education and research and it includes all sectors comprising Biology, Environmental Science, Technology, Economics, Social Science;
- (m) "Fisheries education" means all education in production, conservation, processing, trading and sustainable management of all fishery resources;
- (n) "Fishermen Community" means people mainly engaged in fishing activities for livelihood.
- (o) "Fish farmer" means the person doing farming of different varieties of aquatic animals and plants for his livelihood or to enable him to earn economic gain at any stage of their life cycle.
- (p) "Fish processing industry" means and includes processing and value addition of fish products and industries connected with it;
- (q) "Fish Resources" mean all aquatic living resources;
- (r) "Head of the Department" means a Head of the Department appointed under section 23(2).
- (s) "Hostel" means a place of residence for students of the University, maintained or recognized by the University either as a part of, or separate from a school;
- (t) "Legislative Assembly" means the Legislative Assembly of the State;
- (u) "Ocean Studies" mean all education and research in Ocean Studies including ocean resource development, living and non-living resources and their exploration, conservation, fostering, consumption, management and trade;
- (v) "Officer" means an officer of the University specified in this Act or a person in the employment of the University designated as an officer by the Statutes;
- (w) "Ordinances" mean the Ordinances of the University made under this Act;
- (x) "Prescribed" means prescribed by the Statutes made under this Act;
- (y) "Pro Chancellor" means the Pro-Chancellor of the University;
- (z) "Regional Centres" mean Regional Centres recognized under this Act;
- (aa) "College" means an institution imparting education in fisheries or Ocean studies and maintained by the University situating in the State;
- (ab) "Registrar" means the Registrar of the University;
- (ac) "Regulations" mean the regulations of the University made under this Act;
- (ad) "Research Council" means Research Council under this Act;

- (ae) "Scheduled Castes" mean the Scheduled Castes specified in relation to the State under Article 341 of the Constitution of India;
- (af) "Scheduled Tribes " mean the Scheduled Tribes specified in relation to the State under Article 342 of the Constitution of India;
- (ag) "School" means any of the schools specified in section 20;
- (ah) "School Governing Council" means the School Governing Council specified in section 21;
- (ai) "State" means the State of Kerala;
- (aj) "Statutes" mean the Statutes of the University made under this Act;
- (ak) "Student of the University" means a person enrolled in the University for taking a course of study for a degree, diploma or other academic distinction duly instituted;
- (al) " Teacher" means a person appointed by the Governing Council of the University for the purpose of imparting instructions or conducting and guiding research or extension education projects, and includes any other person who may be specified by the Statutes to be a teacher";
- (am) "University" means the University of Fisheries and Ocean Studies established and incorporated under this Act;
- (an) " University Governing Council" means the University Governing Council specified in section 12;
- (ao) "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 " The Kerala University of Fisheries and Ocean Studies".

(2) The University shall consists of Chancellor, the Pro Chancellor, the Vice Chancellor, Pro-Vice Chancellor, Dean, The Registrar, the University Governing Council, the Academic Council, the Research council, School Governing Council, Department Governing Council and other authorities and officers as set forth in this Act 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 Act to acquire and hold property both movable and immovable, to lease, 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 moneys from the Central Government or any other State Government or

from any body corporate approved by the Government of Kerala, to contract and to do all other things necessary for the purposes of this Act and shall by the said name sue and 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) The Headquarters of the University shall be at Kochi in Ernakulam District.

4. *Establishment and recognition of Institutions by the University* - (1) The territorial jurisdiction of the University shall extend to the whole of the State of Kerala.

(2) The University may assume responsibility for the establishment, development and operation of any institution concerning to conduct instructions in the study of fisheries, ocean studies and technical subjects as may be required.

(3) All schools and regional centres of research and other institutions coming under colleges the jurisdiction and authority of the University shall form constituent units of the University under the full management and control of the Officers and Authorities of the University and no school, research or experimental station or other institutions shall be recognized as an affiliated unit.

(4) The University may conduct distant education courses all over the country or abroad or to admit non-resident students or to appoint teachers.

(5) The University may recognize or undertake institutions of research in fisheries and ocean studies as recognized institutions for undertaking research.

5. *Objectives of the University* - The following shall be objectives of the University, namely :-

- (i) making provisions for imparting education in fisheries, ocean studies and other allied branches of learning and research scholarship;
- (ii) furthering the advancement of learning and conduct of research in fisheries, ocean studies and allied subjects;
- (iii) undertaking extension education programmes;
- (iv) to formulate new courses and curriculum in Fisheries and Ocean Studies sector in accordance with the technical advances in the respective fields;

- (v) to act as nodal agency to establish relationship with Institutions and Universities functioning in national and international level;
- (vi) to act as a centre of excellence having leading role for Human Resources Development in Fisheries and Ocean Studies sectors;
- (vii) to foster and encourage entrepreneurship in fisheries and ocean studies sector;
- (viii) to develop breeds and hybrids of ornamental fishes, prawns and oysters having features like production capacity, resisting power and good quality suitable to the environment of Kerala;
- (ix) to develop farming practices, fish feeds, fish disease control, resistant and vigilant steps suitable to the sustainable farming of ornamental fishes;
- (x) to preserve the fish bio-diversity of Kerala, to establish their intellectual property right to develop and utilize the possibilities of new technology like bio-technology;
- (xi) to conduct study and to record and preserve the study results relating to traditional fish technology, traditional knowledge, sustainable fish protection and to foster development;
- (xii) to strengthen research on fishing and related habitat and the relevant environmental factors; and
- (xiii) such other purposes as the University may deem necessary from time to time.

6. *Admission to the University* – (1) The University shall, subject to the provisions of this Act and the Statutes made thereunder be open to any persons:

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

(2) Subject to the provisions of sub-section (1) the Government may direct that the University shall reserve such number of seats as may be notified by the Government from time to time for Scheduled Castes, Scheduled Tribes, Fishermen Community, Other Backward Classes and for students from other States and Union Territories in India :

Provided that no such person shall be entitled to be admitted to the University unless he or she meets the standards laid down by the University in respect of such candidates.

(3) Nothing in sub-sections (1) and (2) prevents the University in admitting the students from other countries subject to the conditions stipulated by Government of India from time to time.

7. *Powers and functions of the University* – The powers and functions of the University shall be the following, namely :-

- (a) to provide instruction and training in fisheries, ocean studies and other allied branches of learning as the University may, deem fit;
- (b) to make provisions for research in fisheries, ocean studies and allied branches of learning;
- (c) subject to the provisions of section 47, to make provisions for dissemination of the findings of research and technical information through an extension education programme;
- (d) to institute and award degree, diplomas, certificates and other academic distinctions;
- (e) to hold examinations and to confer degree and other academic distinctions for persons who shall have pursued approved courses of study in the University, College or School unless exempted therefrom in the manner prescribed and shall have passed the prescribed examination of the University or shall have carried on research satisfactorily under conditions as may be prescribed and which has been duly evaluated;
- (f) to confer such honorary degrees and other distinctions as may be prescribed for distinguished persons;
- (g) to provide lectures instructions and training to field workers, villagers and other persons not enrolled as regular students of the University and to grant them such certificates as may be prescribed;
- (h) to co-operate with other Universities and authorities in such manner and for such purposes as the University may determine, subject to the provisions of section 4;
- (i) to establish and maintain schools relating to fisheries, ocean studies and other allied branches of learning with the prior approval of the Government ;
- (j) to establish and maintain laboratories, libraries, research centres, fish farms, institutions and museums for teaching, research and extension education;
- (k) to receive fund from abroad subject to rules and restrictions of Central Government and State Government relating to this in the higher education and research sectors;
- (l) to receive money as loan or grant from Central Government University Grants Commission or other agencies recognized by Government on security or otherwise for the programmes subject to the provisions of the Act;
- (m) to create posts on temporary/contract basis for a period not exceeding three years for the special projects to be implemented with the assistance of funding agencies.

- (n) to take step for receiving in the manner prescribed for remuneration, service value from industrial-commercial sector, non-governmental organizations for providing service to parties from India and abroad for the purpose of improving the resources of the University through research and development consultancy and training programmes;
- (o) to take action for cancelling the recognition of institutions contravening the statutes of the University.
- (p) power to establish institutions under the Companies Act for manufacturing modern and improved products evolved through research conducted in relation with Fisheries and Ocean Studies and for providing services;
- (q) to function as an authoritative agency for advising the Government and agencies for the formulation of policy in the Fisheries and Ocean Studies Sector and its performance.
- (r) to create posts for teaching, research and extension education and to appoint persons to such posts;
- (s) to create administrative and other posts and to appoint persons to such posts;
- (t) to institute and award fellowships, scholarships and prizes in accordance with the Statutes;
- (u) to fix, demand and receive such fees and other charges as may be determined from time to time;
- (v) to institute and maintain residential accommodation for students and staff of the University.
- (w) to supervise and control the students of the University to enforce discipline among them and to make necessary arrangements for promoting their health and welfare;
- (x) to establish, maintain and manage, whenever necessary,-
  - i) A Printing and Publication Department ;
  - ii) University Extension Boards;
  - iii) Information Bureaus;
  - iv) Employment Guidance Bureaus and such other activities as may be necessary and possible to fulfill the objectives of the University;
- (y) to institute and to provide funds wherever necessary for the maintenance of, -
  - i) Welfare committee of the employees and students;
  - ii) A Students Advisory Bureau;
  - iii) An Employment Bureau;
  - iv) A University Students Union
  - v) University Athletic Clubs;
  - vi) The National Cadet Corps;
  - vii) The National Service Schemes;
  - viii) University Extension Boards;
  - ix) Students' Cultural and Debating Societies;
  - x) A Publication Bureau ; and



- xi) to establish education extension centres relating to Fisheries and Ocean Studies ; and
  - xii) co-operative and other similar institutions for promoting the welfare of students and employees of the University.
- (z) to do all such other acts or make such other provisions as may be deemed necessary or desirable to further the objectives of the University.

8. Visitation and inspection - (1) The Government shall have the right to cause an inspection to be made by such person or persons as the Government may direct of the University, its buildings, laboratories, libraries, museums, workshops and equipments of any of institution, college, school or hostel maintained or administered by the University of the teaching and other work conducted or done by the University or under its auspices and of the conduct of any other functions of the University and to cause an inquiry to be made in respect of any matter connected with the administration and finances of the University. The University shall caused to transfer any document connected with such enquiry to the inspection committee.

(2) The Government shall, before causing an inspection or inquiry to be made under sub-section (1), give due notice of such inspection or enquiry, as the case may be, the University and the University shall be entitled to appoint its representative who shall have the right to be present and to be heard at such inspection or inquiry.

(3) The Government shall communicate to the University the views of the Government with reference to the results of such inspection or inquiry for its opinion thereon and may, after obtaining the same, advise the University as to the action to be taken in pursuance thereof and fix a time limit for taking such action.

(4) The University shall, within the time limits so fixed, report to the Government the action which has been taken or is proposed to be taken on the advice rendered by the Government .

(5) The Government may, where action has not been taken by the University to the satisfaction of the Government within the time limit fixed, after considering any explanation furnished or representation made by the University, issue such directions as the Government may think fit and the University shall comply with such directions.

(6) Notwithstanding anything contained in sub-sections (1) to (5), if at any time the Government are of the opinion that the affairs of the University are not managed in furtherance of the objects of the University or in accordance with the provisions of this Act and the Statutes, Ordinances and Regulations made thereunder or that special measures are desirable to maintain the standards of teaching of the University, the Government may indicate to the University any matter in regard to which consider to have an explanation and call upon the

University to offer such explanation within such time as may be specified by the Government .

(7) If the University fails to offer any explanation within the time specified under sub-section (6) or offers an explanation which in the opinion of the Government is unsatisfactory, the Government may issue such instructions as may appear to them to be necessary and desirable in the circumstances of the case and may exercise such powers as deem necessary for giving effect to the instructions.

(8) The University shall furnish such information relating to the administration of the University as the Government required.

### CHAPTER III AUTHORITIES OF THE UNIVERSITY

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

- (i) The Senate;
- (ii) The University Governing Council ;
- (iii) The Academic Council;
- (iv) The Research Council;
- (v) The School Governing Councils;
- (vi) The Department Governing Councils;
- (vii) The Faculties; and

Such other bodies as may be specified by Statutes to be the authorities of the University.

10. *The Senate* - (1) The Senate shall consist of the following Members, namely:-

#### 1. *Ex-officio Members*

- (i) The Chancellor;
- (ii) The Pro-Chancellor;
- (iii) Member of Legislative Assembly where the Head office of the University is situated;
- (iv) The Vice Chancellor ;
- (v) The pro- Vice Chancellor ;
- (vi) The Secretary to Government, Fisheries Department;
- (vii) The Secretary to Government, Higher Education Department or an Officer not below the rank of Joint Secretary nominated by him.
- (viii) The Secretary to Government , Finance Department or an Officer not below the rank of Joint Secretary nominated by him.
- (ix) Law Secretary or an Officer not below the rank of Joint Secretary nominated by him; and
- (x) The Director of Fisheries.

## 2. *Nominated Members*

- (i) Three Deans of Faculties of the University to be nominated by the Chancellor in the order of seniority, by rotation for a term of two years;
- (ii) Five Heads of Departments of the University or Schools who are not otherwise members of the Senate, to be nominated by the Chancellor, in the order of seniority by rotation;
- (iii) Directors of the Schools of the University; and
- (iv) Nine persons to be nominated by the Government from among persons having knowledge or interest in Fisheries and Ocean Studies, subject to the condition that, out of these one shall be a member of the Scheduled Caste, one shall be a member of the Scheduled Tribe, one shall be a member of the Fishermen community and one shall be a Women.

## 3. *Elected Members*

- (i) Three members elected by the Members of the Legislative Assembly of Kerala from among themselves, of whom one shall be a member of Scheduled Caste or Scheduled Tribe;
  - (ii) Four members elected by the teachers of the University from among themselves, of which two shall be women;
  - (iii) Five representatives of students, one each elected from the full-time regular students of University, Schools or Department ;
  - (iv) One person elected from among the non-teaching employees of the University; and
- (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 one fourth of the total members.
- (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 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.
- (7) 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.

11. *Powers of the Senate* – The Senate shall have the following powers, namely;-

- (i) to formulate the public 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 Fisheries and Ocean Studies;
- (vii) to suggest institution of new degrees, diplomas, certificates and other academic distinctions; and
- (viii) to exercise such other powers and perform such other duties as may be conferred or assigned by this Act or the Statutes.

12. *The University Governing Council* - The Governing Council shall be the chief executive body of the University and shall consist of the following members,namely:-

1. *Ex-officio Members*

- (i) The Vice Chancellor ;
- (ii) Pro-Vice Chancellor ;
- (iii) Secretary to Government, Fisheries Department , Government of Kerala.
- (iv) Secretary to Government , Higher Education Department , Government of Kerala;
- (v) Secretary to Government , Finance Department , Government of Kerala;
- (vi) Law Secretary or Joint Secretary nominated by the Law Secretary;
- (vii) two Deans of the faculties;
- (viii) two Directors of Schools of the University by rotation by alphabetical order for every two years; and
- (ix) the Vice President of Kerala State Council for Science and Technology and Environment.

2. *Elected Members*

- (i) three members elected by the teachers of the University other than Directors of the Schools from among themselves according to the principle of proportional representation by means of single transferable vote, of whom one shall be a woman;
- (ii) one member elected from among the regular students of the School, Departments and University in such manner as may be prescribed.

3. *Nominated Members*

- (i) two members of the Legislative Assembly as nominated by the Government ;
- (ii) An expert in Fisheries nominated by Indian Council of Agriculture Research;
- (iii) A representative of the fishermen community with knowledge in the field of Fisheries or Ocean Studies nominated by the Government ;
- (iv) A Scientist of eminence in Ocean Studies nominated by the Ministry of Earth Studies;
- (v) A representative of fish farmers nominated by the Government ;
- (vi) A representative from the registered fishermen unions nominated by the Government ;
- (vii) A representative of the Fisheries industry nominated by the Government ;

Provided that a nominated member shall not be eligible for re-nomination.

13. *Reconstitution of the University Governing Council* :- (1) The University Governing Council shall be reconstituted every four years.

(2) Every member of the University Governing Council other than an ex-officio member shall, subject to the provisions of this Act and the Statutes made thereunder, hold office until the next reconstitution of the University Governing Council unless otherwise specified herein:

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

Provided further that where an elected or nominated member of the University Governing Council is appointed temporarily to any office, by virtue of which he is entitled to be an ex-officio member of the University Governing Council, he shall continue to be such elected or nominated member, as the case may be.

(3) When a person ceases to be a member of the University Governing Council, he shall cease to be a member of any of the Authorities of the University of which he may happen to be a member by virtue of his membership of the University Governing Council .

14. *Powers and functions of the University Governing Council* - (1) The University Governing Council shall be the supreme authority of the University and shall have the power to review the actions of the Academic Council and the School Governing Council save where the Academic Council or School Governing Council has acted in accordance with the powers conferred upon it under this Act, the Statutes, Ordinances and Regulations made there under and shall exercise all the powers of the University not otherwise provided for by this Act:

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

(2) Save as otherwise expressly provided in this Act, the University Governing Council shall have the following powers, namely:-

- (a) to make, amend or repeal Statutes on its own motion for the consideration of the Chancellor for his assent;
- (b) to amend or cancel any Ordinance or Regulation passed by the Academic Council;
- (c) to review, if necessary, any academic or administrative decision taken by the School Governing Council or Department Governing Council ;
- (d) to approve institutions of fellowships, scholarships, studentships, bursaries, medals and prizes and organize exhibitions in accordance with the provisions of this Act, Statutes, Ordinances and Regulations made thereunder;
- (e) to institute Professorships, Associate Professorships and Assistant Professorships and such other teaching or research posts as it may deem necessary;
- (f) to establish and maintain such institutions as it may, from time to time, deem necessary;
- (g) to prescribe the terms and conditions of service of the employees of the University;
- (h) to fix the emoluments and prescribe the duties and conditions of service of teachers;
- (i) to review and take such action as it may deem fit on the annual report and the annual accounts of the University which shall be placed before it and to consider and pass the budget according to the provisions of the Statutes;
- (j) to cancel any degree, diploma, title or any other distinction granted to any person in accordance with the provisions of the Statutes and to withhold or cancel the results of any candidate at any University examinations;
- (k) to appoint committees and to delegate to them such functions of the University Governing Council as it may deem fit;
- (l) to make Statutes regulating the method of election to the Authorities of the University, the procedure to be followed at the meetings of the University Governing Council, Academic Council and other Authorities of the University and quorum of members required for the transaction of business by the Authorities of the University.
- (m) to establish linkage with other Universities in India and abroad in such manner and for such purposes as it may determine;
- (n) to hold, control and administer the properties and funds of the University;
- (o) to direct the form, custody and use of the common seal of the University;

- (p) to arrange for and direct the inspection of schools, hostels and other institutions;
- (q) to establish, maintain and manage such schools and centres of research and other institutions of higher learning as it may deem necessary from time to time;
- (r) to appoint teachers and other employees of the University and prescribe their duties;
- (s) to create administrative, ministerial and other necessary posts;
- (t) to suspend, discharge, dismiss or otherwise take any disciplinary action against the teachers and other employees of the University after giving them reasonable opportunity to defend their position;
- (u) to exercise supervision and control over the residence and discipline of students;
- (v) to consider the financial estimates of the University in accordance with the provisions of the Statutes made in this behalf;
- (w) to oversee the conduct of University examinations and approve and publish the results thereof;
- (x) to fix the remuneration of examiners, the panel of which is approved by the School Governing Council;
- (y) to delegate any of its powers to the Vice-Chancellor or to a committee appointed from among its members; and
- (z) Power for considering schemes aimed to the academic progress of the University;
- (aa) to exercise such other powers and perform such other functions as may be empowered by this Act and the Statutes.

15. *Meetings of the University Governing Council* – (1) The University Governing Council shall meet at least once in a month on dates to be fixed by the Vice-Chancellor after giving due notice to all members.

(2) More than half of the total number of members of the University Governing Council shall be the quorum for a meeting of the Council;

Provided that such quorum shall not be required for convocation of the University or a meeting of the University Governing Council held for the purpose of conferring degrees, titles or other distinctions.

(3) When a special meeting is convened by the Vice-Chancellor, no subject other than that is shown in the requisition shall be considered at the meeting.

16. *Term of office of members of University Governing Council* – (1) An elected or nominated member of the University Governing Council shall cease to hold office on the day immediately preceding the date of reconstitution of the University Governing Council which elected or nominated him.

(2) The members of the University Governing Council, other than the elected or nominated members who have ceased to hold office by virtue of the provisions of sub-section (1) shall be competent to exercise the powers and perform the functions of the University Governing Council under this Act and Statutes, Ordinance and Regulations made thereunder.

(3) The quorum other than those who have ceased to hold office by virtue of the provisions of sub-section (1) for any meeting of the University Governing Council shall be more than half of the remaining members.

17. *Constitution of the Academic Council* - (1) The Academic Council shall consist of the following members, namely:-

- (i) the Vice-Chancellor, Chairperson;
- (ii) the Directors of all Schools;
- (iii) the Director of Research
- (iv) the Director of Extension
- (v) the Director of Fisheries, Government of Kerala or representative not below the rank of his Additional Director;
- (vi) the Director of CMFRI or representative not below the rank of his Principal Scientist;
- (vii) the Director of CIFT or representative not below the rank of his Principal Scientist;
- (viii) the Director of CMLRE or representative not below the rank of the Principal Scientist;
- (ix) the Director of NIO or representative not below the rank of his Principal Scientist;
- (x) five Heads of Departments of the University elected from among themselves;
- (xi) One faculty member of each school elected from among themselves;
- (xii) two members elected from among the Postgraduate students of the University; and
- (xiii) One faculty member/scientist from each Local Administration Centres/Regional Centre nominated by Vice Chancellor.

(2) The Academic Council shall meet at least once in three months.

(3) One-third of the total number of members of the Academic Council shall form the quorum of a meeting of the council.

(4) the tenure of the Academic Council shall be such as may be prescribed by the Statute.

18. *Powers, functions and duties of the Academic Council* - (1) The Academic Council shall, subject to the provisions of this Act and Statutes, have general control over the academic matters of the University and be responsible for the maintenance of standards of instruction, education and examinations within the University and shall exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Statutes.

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

- (a) to advise the University Governing Council on all academic matters;
- (b) to make regulations and to amend or repeal the same;



- (c) to approve the courses of studies in the institutions maintained by the University;
- (d) to approve the qualifications of teachers in schools and other institutions maintained by the University;
- (e) to approve the qualifications of students for admission to the various courses of studies and to the examinations and the conditions under which exemptions may be granted.
- (f) to consider and approve proposals for the instruction and training in such branches of learning as it may think fit;
- (g) To consider and approve proposals for the institution of Professors, Associate Professors, Assistant Professors, Readers, Lectures and other teaching and other teaching and research posts required by the University.
- (h) to approve proposals for determining the degrees, diplomas and other academic distinctions that shall be granted by the University.
- (i) to decide which 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.
- (j) to approve, modify or revise schemes for the constitution or reconstitution of departments for teaching, research and extension education based on the proposals received from the School Governing Council;
- (k) to maintain standards regarding post graduate teaching, research and extension education.
- (l) to give advice to the University in all academic matters and to submit feasibility report before the Governing Council regarding the academic programmes as recommended by the Senate in its annual meeting;
- (m) to exercise such other powers and perform such other functions as may be conferred or imposed on it by this Act and Statutes, Ordinances and Regulations made thereunder.

19. *The Research Council* - (1) Research Council shall consist of the following members, namely:-

- (i) Director of Research who shall be the Chairman of the Council;
  - (ii) Directors of all Schools;
  - (iii) One senior faculty member who is a recognized guide from each School nominated by the Vice Chancellor;
  - (iv) Director of each Regional Centre;
  - (v) One representative of Indian Council of Agriculture Research;
  - (vi) One representative of MOES;
  - (vii) One representative of fishery industry nominated by the Vice Chancellor; and
  - (viii) The Vice Chancellor of the Planning Board, Government of Kerala or representative of the Board nominated by him.
- (2) Research Council shall be responsible for formulating research policies, identifying thrust areas, advising possible funding agencies and monitoring and

reporting the progress and quality of research to the Vice Chancellor from time to time.

(3) The Research Council shall meet at least once in six months.

(4) More than half of the total number of members of the Research Council shall form the quorum for a meeting of the Council.

20. *The Schools* - (1) The University shall have the following Schools, namely:-

- (i) School of Aquaculture and Biotechnology;
  - (ii) School of Fisheries Resource Management and Harvest Technology;
  - (iii) School of Aquatic Food Products and Technology;
  - (iv) School of Fishery Environment;
  - (v) School of Ocean Studies and Technology
  - (vi) School of Ocean Engineering and Underwater Technology;
  - (vii) School of Management and Entrepreneurship; and
- such other schools as may be prescribed from time to time.

(2) Each school may comprise such Departments and with such syllabi of subjects of study as may be prescribed.

(3) Each school will have a Director appointed as per Statutes.

(4) The Director shall be the Chief Executive of the School under him and shall be responsible for the faithful observance of the Statutes, Ordinances and Regulations relating to the School and for the organization and for carrying out teaching, research and extension work in the school.

(5) In carrying out teaching, research and extension Programmes, the Director shall work in close co-operation with the Heads of Departments, Director of Research and Director of Extension.

(6) The Director shall have financial powers for the day to day and routine functioning of the School.

21. *School Governing Council* - (1) The School Governing Council shall consist of the following members, namely:-

- (i) Director of the School, who shall be the Chairman;
- (ii) Heads of all Departments of the School;
- (iii) Senior most Teacher of each Department;
- (iv) Finance Officer or his representative not below the rank of Assistant;
- (v) Not more than five experts in the field nominated by the Vice Chancellor in consultation with the Director;

Provided that such experts shall be invited only when the agenda includes discussion on curriculum revision.

(2) The School Governing Council shall meet at least once in a month.

(3) More than half of the members shall form the quorum of the Council.

22. *Powers and Functions of the School Governing Council* – (1) All policies regarding academic and administrative matters of the School shall be taken in the meeting of the School Governing Council .

(2) The School Governing Council shall oversee and approve proposals from the Departmental Governing Council in all academic matters including examinations and results thereof.

(3) The Director shall carry out the decisions of the School Governing Council and co-ordinate the functions of the Departments in the best interest of the School and the University.

(4) The School Governing Council shall prescribe the qualifications of the examiners and approve the panel of examiners for external examinations.

(5) The Director shall appoint examiners and conduct the external examinations.

(6) The School Governing Council shall meet at least once in three months or as and when required to review the academic activities and to take decisions on need based curricular changes.

(7) The School Governing Council shall have adequate financial powers for the functioning of the various Departments under the School including power for strengthening the infrastructure, improving the teaching and research facilities and for maintaining and operating research vessel.

(8) Without prejudice to the provisions in sub-clauses (1) to (7), the School Governing Council shall have the following powers, namely:-

(a) to propose the courses of studies in the institutions maintained by the University.

(b) to propose the qualifications of teachers in Schools and other institutions maintained by the University.

(c) to propose the qualifications of students for admission to the various courses of studies and to the examinations and the conditions under which exemptions may be granted;

(d) to make proposal for instruction and training in such branches of learning as it may think fit;

- (e) to make proposal for the institution of Professorships, Readerships, Lectureships and other teaching and research posts required by the University.
- (f) to propose schemes for the constitution or reconstitution of Departments for teaching, research and extension education based on the proposals received from the Department Governing Council ;
- (g) to exercise such other powers and perform such other functions as may be conferred or imposed on it by this Act and Statutes, Ordinances and Regulations make thereunder.

23. *Departments-* (1) Each School shall have such number of Departments as may be prescribed from time to time.

(2) Each Department shall have a Head whose appointment, powers and duties shall be such as may be prescribed by the Statutes.

(3) The Head of the Department shall be the Executive Head and shall be responsible for the faithful observance of Statutes, Ordinances and Regulations relating to the Department and for the organization and conduct of teaching, research and extension work in the Department under him.

(4) The Head of the Department shall also be responsible to the Director of School for the teaching, research and extension Programmes entrusted to his Department.

24. *The Department Governing Council* - (1) All permanent teachers of the concerned Department shall be the members of the Department Governing Council.

(2) All policies regarding the academic and administrative matters pertaining to the Department shall be taken in a meeting of the Department Governing Council.

(3) The Department Governing Council shall prescribe the qualifications of the examiners and approve the panel of examiners for internal examination.

(4) The Head of Department shall implement the decisions of the Department Governing Council after due approval by the concerned bodies.

(5) The Head of Department shall appoint examiners, and conduct the internal examination.

(6) The Department Governing Council shall design the syllabus and make proposal regarding the courses of study in the Department to the School Governing Council .

(7) The Department Governing Council shall meet at least once in a month or as and when required to review the academic activities and to suggest need based curricular changes.

25. *The Faculties* - (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 the Statutes.

(3) A faculty shall be constituted, divided or combined with another faculty or abolished only with the approval of the Academic Council.

(4) The faculty shall comprise such subjects as may be prescribed by the 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 Board of Studies from among themselves out of whom at least one shall be a postgraduate teacher; and

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

(6) The term of members of a faculty shall be three years or such period as may be prescribed by the Statutes.

26. *The Power and functions of Faculties* - (1) The faculty shall have the following powers and functions, namely:-

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

(b) to consider and approve recommendations of the Board of Studies in the faculty on matters not affecting any other faculty;

(c) to consider and make recommendations to the Academic Council on academic matters within its purview which affect any other faculty or faculties or which involve administrative or financial implications;

(d) to consider and recommend to the Academic Council introduction 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 the Statutes;

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

- (i) long-term curriculum development;
- (ii) faculty development;
- (iii) teaching or learning material development;
- (iv) research in educational matters with particular reference to colleges;

(f) to plan organization of inter-departmental and inter-faculty Programmes in consultation with the Board of Studies and other faculties;

(g) to recommend to the Academic Staff College and the Academic Council regarding organization of continuing Fisheries/continuing ocean studies education, refresher and orientation courses for teachers of University especially for the revised or newly introduced or inter-disciplinary courses of study;

(h) to prepare and submit the annual report of the functioning of the faculty to the Vice Chancellor ; and

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

27. *Constitution of Committees* - Every Authority shall have the power to appoint committees which may, unless otherwise provided in this Act or the Statutes, consist of the members of the Authority, and such other persons as it may think fit.

28. *Provisions relating to membership in Authorities* - (1) Save as otherwise provided in this Act, any casual vacancy among the members, other than ex-officio members of any Authority or body of the University shall be filled, as soon as may be convenient, by nominated or elected members whose place has become vacant, as the case may be and the person nominated or elected to such casual vacancy shall be a member of such Authority or body for the remaining period for which the person whose place he fills would have been a member.

(2) The University Governing Council may remove any person from membership of any Authority or body of the University on the ground that such person has been convicted of an offence involving moral turpitude;

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

(3) Any person who is a member of any Authority of the University, other than the University Governing Council as a representative of another body, whether of the University or not, shall retain his membership in the Authority only so long as he continues to be a member of the body from which he was nominated or elected and continue thereafter till his successor is duly nominated or elected.

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

29. *Savings of validity* - (1) No act or proceedings of any Authority or other body of the University shall be invalid merely by reason of any defect in the constitution of such Authority or body or the existence of a vacancy or vacancies among its members or by reason of a person having taken part in the proceedings who is subsequently found not to have been entitled to do so.

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

(3) No suit, prosecution or other proceedings shall lie against any officer or other employee of the University for any Act done or purported to be done under this Act or Statutes or Ordinances or Regulations made thereunder without the previous sanction of the University Governing Council .

(4) No officer or other employee of the University shall be liable in respect of any such Act in any civil or criminal proceedings, if the Act was done in good faith and in the course of the execution of the duties or in the discharge of functions imposed by or under this Act.

## CHAPTER IV

### OFFICERS

30. *Officers of the University* - The following shall be the Officers of the University, namely :-

- i) The Chancellor;
- ii) The Pro-Chancellor;
- iii) The Vice Chancellor;
- iv) The Pro-Vice Chancellor;
- v) The Dean
- vi) The Registrar
- vii) The Finance Officer
- viii) The University Engineer;
- ix) The Librarian;
- x) The Director of Research;
- xi) The Director of Extension;
- xii) The Controller of Examinations;
- xiii) Director of Schools;

xiv) Heads of Departments; and

Such other Officers in the service of the University as may be prescribed in the Statutes.

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

(2) The Chancellor shall be the Head of the University and shall, when present, preside over the meetings of the University Governing 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) The Chancellor shall exercise such other powers and perform such other functions as may be conferred or vested in the Chancellor by or under this Act or Statutes.

32. *The Pro- Chancellor* - (1) The Minister in-charge of the Fisheries 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.

33. *The Vice Chancellor* - (1) The Vice Chancellor shall be a full-time Officer of the University.

(2) The Vice Chancellor shall be appointed by the Chancellor on the advice of the Selection Committee consisting of one person nominated by the Governing Council of the University, one person nominated by the Government, Director General of the Indian Agricultural Research or his representative;

Provided that the nominee of the University Governing Council shall not be from among the members of that Council or an employee of the University.

Provided further that the selection committee shall submit a panel of members not exceeding three to the Chancellor unanimously;



Provided also that if the advice rendered by the Selection Committee is not unanimous, the Chancellor may accept the opinion of the majority of its members.

(3) The Vice Chancellor shall be a person of eminent and expert in the field of Fisheries or Ocean Studies.

(4) The Selection Committee may formulate its own procedure for securing names of possible candidates for consideration and in consultation with such individuals or bodies as it considers appropriate.

(5) Notwithstanding anything contained in sub-section (2), the first Vice Chancellor shall be appointed by the Government for a period not exceeding five years on such terms and conditions.

(6) The term of the Vice Chancellor shall be five years or till he attains the age of sixty five years, whichever is earlier. Provided that he shall be eligible for re-appointment.

(7) The emoluments and other conditions of service of the Vice Chancellor shall be such as may be prescribed.

(8) The Vice Chancellor may, by writing under his hand addressed to the Chancellor, resign his office.

(9) The resignation of the Vice Chancellor shall be delivered to the Chancellor ordinarily at least sixty days prior to the date on which the Vice Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier.

(10) The resignation of the Vice Chancellor shall take effect from the date of relief.

(11) In the event of a temporary vacancy occurs in the office of the Vice Chancellor, or if the Vice Chancellor is, by reason of illness, absence or for any other reason, unable to exercise the powers and perform the duties of his office, the Chancellor shall make necessary arrangements in consultation with the Pro-Chancellor for exercising the powers and performing the duties of the Vice Chancellor until a Vice Chancellor appointed under the provisions of this Act assumes office.

(12) Where the post of Vice Chancellor falls permanently vacant, either by resignation or otherwise, the vacancy shall be filled in accordance with the provisions of sub-section (2) and the Vice Chancellor so appointed shall hold office for a full term of five years.

34. *Powers and duties of the Vice Chancellor* (1) The Vice Chancellor shall be the principal executive and academic officer of the University and Ex-officio Chairman of the University Governing Council and of the Academic Council

and shall in the absence of the Chancellor and the Pro-Chancellor, preside the convocation of the University and confer degrees on persons entitled to receive them.

(2) The Vice Chancellor shall exercise general control over the affairs of the University and shall be responsible for the due maintenance of discipline in the University.

(3) The Vice Chancellor shall convene meetings of the University Governing Council and the Academic Council .

(4) The Vice Chancellor shall ensure that the provisions of this Act, Statutes, Ordinances and Regulations made thereunder are observed and shall have all the powers necessary for that purpose.

(5) The Vice Chancellor shall be responsible for the presentation of the budget estimate and the statement of accounts and the balance sheet to the University Governing Council .

(6) The Vice Chancellor may take any action in any emergency which in his opinion calls for immediate action and shall in such a case and at the earliest opportunity thereafter report the action so taken to the officer or authority or body who or which would ordinarily have dealt with the matter.

(7) Where any action taken by the Vice Chancellor under sub-section (6) affects any person in the service of the University to his disadvantage, such person may prefer an appeal to the University Governing Council within thirty days from the date of receipt of such notice of the action taken.

(8) The Vice Chancellor shall give effect to the orders of the University Governing Council regarding the appointment, suspension and dismissal of officers, teachers and other employees of the University.

(9) The Vice Chancellor shall on the basis of recommendation of the Governing Council and subject to budget provision permit the officers to travel outside the State and abroad in connection with various functions of the University.

(10) The Vice Chancellor shall be responsible for the proper administration of the University and for close co-ordination and integration of teaching, research and extension education.

(11) Subject to ratification by the University Governing Council , the Vice Chancellor shall have power to suspend teachers and other employees of the University and to take disciplinary action against them.

(12) The Vice Chancellor shall exercise supervision and control over the residence and discipline of students.

(13) Examiners for conducting examinations and preparing question papers shall be appointed from a panel approved by the Board of Examinations.

(14) The Vice Chancellor shall constitute a vigilance squad for inspecting University Examinations.

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

35. *The Pro- Vice Chancellor* - (1) The Chancellor shall, in consultation with the Vice Chancellor appoint an eminent person in the field of Fisheries or Ocean Studies 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 years, whichever is earlier, provided that a person shall not be appointed as Pro-Vice Chancellor for more than two consecutive terms.

(3) The Pro-Vice Chancellor shall be a full-time salaried officer of the University and the terms and conditions of his service including pay and allowance 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 to perform the duties of the Pro-Vice Chancellor till the Pro-Vice Chancellor resumes office or the new Pro-Vice Chancellor duly appointed assumes office, as the case may be.

(5) Notwithstanding anything contained in sub-clause (1) the first Pro-Vice Chancellor shall be appointed by the Government for a period not exceeding five years on such terms and conditions.

36. *Dean* - (1) A person not below the rank of Professor and having educational qualifications and teaching experience as may be prescribed by the Statute may appoint as the Dean of the Faculty.

(2) Dean shall be an academic officer of the University.

(3) Dean shall be responsible for attaining academic progress, keeping standard of teaching providing training to teachers and implementing academic policies approved by the Academic Council .

(4) Dean of each Faculty shall be nominated by Vice Chancellor from the members of the Faculty.

(5) Dean shall be responsible for convening the meetings of the Faculty in consultation with the Vice Chancellor, if it is necessary, and shall be the Chairman of such meeting.

(6) Dean shall be responsible for formulating policies and development Programmes of the Faculties and submit them before the concerned authorities for consideration.

(7) Dean shall be responsible for implementing decisions of Senate, Governing Council and Academic Council in connection with the Faculties and for the academic development of the Faculty.

(8) Dean shall be responsible for taking decision on the complaints of students in the matters of enrolment, qualification, migration, scholarship, studentship of freship, extension of tenure and admission to University Examination subject to directions and restrictions of the Vice Chancellor.

(9) Dean shall have the power to conduct continuing enquiry in the matter as directed by the Academic Council, if the University Department of any other institution conducting enquiry and reported their finding before the Academic Council regarding the irregularities occurred in the matters connected with the academic progress of the constituent faculties.

(10) Dean shall have power to prepare proposals for fellowships, scholarships and other distinctions related to the constituent faculties and the same may be submitted for the consideration of the Academic Council.

37. *The Registrar* - (1) The Registrar shall be a full-time salaried officer of the University and shall be appointed by the University Governing Council in accordance with the Statutes.

(2) The salary and allowances payable to the Registrar shall such as may be prescribed.

(3) The Registrar shall be responsible for the due custody of the records and the common seal of the University.

(4) The Registrar shall be ex-officio Secretary of the University Governing Council and the Academic Council and shall be bound to place before each such authority all such information as may be necessary for the transaction of its business.

(5) The Registrar shall receive applications for entrance to the University, and shall keep permanent records of all courses, curricula and other information as may be deemed necessary by the Academic Council.

(6) The Registrar shall be responsible for maintaining a permanent record of the academic performance of students of the University including the courses taken, grades obtained, degrees awarded, prizes or other distinctions won and any other items pertinent to the academic performance of the students.

(7) The Registrar shall perform such other duties as may be prescribed or which may be assigned by the University Governing Council or the Vice Chancellor .

(8) The Registrar shall have overall supervisory responsibility of the University examinations and declaration of results thereof.

(9) Notwithstanding anything contained in sub clause (1) the first Registrar shall be appointed for a period not exceeding 5 years on such terms and conditions.

38. *The Finance Officer* - (1) The Finance Officer shall be a full-time salaries officer of the University and shall be appointed by the University Governing Council on such terms and conditions as it may deem fit.

(2) The Finance Officer shall manage the funds and investments of the University and shall advise with regard to its financial policy.

(3) The Finance Officer shall be responsible to the Vice Chancellor in the preparation of the budget and statement of accounts of the University.

(4) The Finance Officer shall be responsible to the Vice Chancellor for ensuring that no expenditure not authorized in the budget is incurred by the University and shall disallow any expenditure which may contravene the terms of any Statute or Ordinance or for which provision is required to be, but not made by the Statutes or the Ordinances.

(5) The Finance Officer shall be responsible for revisions of the budget when such revision is required in the interests of expediting new Programmes or for any other reason and for expediting the approval of the budget.

39. *The University Engineer* - (1) The University Engineer shall be appointed by the University Governing Council in accordance with the Statutes.

(2) The Salary and allowances and other conditions of service of the University Engineer shall be such as may be prescribed.

(3) The University Engineer shall be the general custodian of all the properties of the University and shall have the following duties, namely :-

a) to make arrangements for the constructions and maintenance of the buildings and other structures of the University.

b) to make arrangements for the purchase and maintenance of machinery and other equipments necessary for the purposes of the University.

c) to maintain the lawns, grounds and gardens of the University Campus; and

d) such other duties as may be assigned to him by the Vice Chancellor .

4) The University Engineer shall, in the discharge of his duties, be responsible to the University Governing Council .

40. *The Librarian* - (1) The Librarian shall be appointed by the University Governing Council in accordance with the Statutes and shall be responsible to that Council for the purchase, cataloguing, maintenance, issuance and receipt of books and journals and for all other matters including digital system concerning the Library.

(2) The salary and allowances and other conditions of service of the Librarian shall be such as may be prescribed.

41. *The Controller of the Examinations* - (1) The Controller of Examinations shall be appointed by the Vice Chancellor on the recommendation of a Selection Committee constituted for the purpose in such a manner as may be prescribed by the Statutes. The Controller of Examinations shall be a full-time salaried officer of the University and shall work directly under the control of the Vice Chancellor.

(2) The term of appointment of the Controller of Examinations shall be for a period of five years and shall be eligible for re-appointment.

(3) The qualifications and experience for appointment as Controller of Examinations shall be such, as may be prescribed by Statutes.

(4) 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 his functions under the superintendence, direction and guidance of the Board of Examinations.

(5) The Controller of Examinations 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.

(6) Without prejudice to the generality of the provisions of sub-section (4), the Controller of Examinations shall be responsible for making all arrangements necessary for holding examinations and tests and declaration of results.

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

42. *The Director of Research* - (1) There shall be a Director of Research who shall be a whole-time salaried officer of the University.

(2) The Director of Research shall be appointed by the University Governing Council in accordance with the Statutes.

(3) The salary and allowances and other conditions of service of the Director of Research shall be such as may be prescribed.

(4) The Director of Research shall be responsible for the direction and co-ordination of research programmes set forth in Section 46 and for the efficient working of the research centres.

(5) The Director of Research shall be responsible for all matters connected with externally funded projects following a single window clearance system.

(6) The Director of Research shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.

43. *The Director of Extension* - (1) There shall be a Director of Extension who shall be a whole-time salaried officer of the University.

(2) The Director of Extension shall be appointed by the University Governing Council in accordance with the Statutes.

(3) The salary and allowances and other conditions of service of the Director of Extension shall be such as may be prescribed.

(4) The Director of Extension shall be responsible for the Fisheries and Ocean Studies Extension Education Programmes as set forth in Section 47.

(5) The Director of Extension shall exercise such powers and perform such duties as may be conferred or imposed on him by the Statutes.

44. *Director of School* - (1) There shall be a Director for each school who shall be appointed in such manner as may be prescribed;

Provided that the University Governing Council may direct that a Director shall be in-charge of more than one School.

(2) The Director shall be a full-time salaries officer of the University and shall hold office for such period as may be prescribed.

(3) The Director shall be paid such salary and allowances subject to such conditions of service as may be prescribed.

(4) The Director shall be the Chief Executive of the school and Chairman of the School Governing Council under him and shall be responsible to the Vice Chancellor for the faithful observance of the Statutes, the Ordinances and Regulations relating to the School. He shall work in close liaison with other officers including the Director of Research and Extension and shall generally work through the Heads of Departments of Schools and School Governing Council .

(5) The Director shall discharge such other duties and perform such other functions necessary for the proper functioning of the work of his school as may be assigned to him by the University Governing Council .

45. *Head of Department* - (1) Each Department shall have a Head whose appointment, powers and duties shall be such as may be prescribed by the Statutes.

(2) The Head of the Department shall be the Executive Head and shall be responsible for the faithful observance of Statutes, the Ordinances, and the Regulations relating to such Departments and for the organization and conduct of the teaching, Research and Extension work of the Department under him.

(3) The Head of the Department shall also be responsible to the Director of School for the teaching, research and extension programmes entrusted to his Department .

46. *Remuneration of Officers and Employees* No Officer or employee of the University shall accept from any source any remuneration save as may be provided for in the Statutes.

## CHAPTER V

### RESEARCH AND EXTENSION EDUCATION

47. *Research Programme for Fisheries and Ocean Studies* - (1) Subject to the provisions of this Act and the Statutes, the University shall carry out research throughout the State primarily in allied fields for the purpose of encouraging fish



farmers and for the benefit of the Fishermen Community of the State and shall, for this purpose, establish Fisheries and Ocean Studies Research Centres.

(2) The University shall, through its Fisheries and Ocean Studies Research Centres, be the principal agency controlling research activities in Fisheries and Ocean Studies in the State.

(3) The jurisdiction over all research Programmes, research stations, facilities, personnel and budgets assigned to the Kerala Agricultural University concerned with research in Fisheries, Ocean Studies and allied fields of study immediately before the commencement of this Act shall be transferred to the University according to terms mutually agreed upon between the University and the Government.

(4) The Central Government institutions of research in Fisheries, Ocean Studies and allied fields in the State may be transferred to the University according to terms mutually agreed upon between the University and the Central Government.

48. *Fisheries and Ocean Studies Extension Education Programme* - (1) The Fisheries and Ocean Studies Extension Education Programme shall be developed under the guidance of the Director of Extension.

(2) Subject to the provisions of this Act and the Statutes, the University shall make available useful information based on the findings of research to the fish farmers, fishermen and entrepreneurs through the concerned Government Department.

(3) The Government shall transfer to the University necessary personnel, facilities and funds to conduct educational activities in accordance with a plan mutually agreed upon between the University and the Government.

49. *Co-ordination of functions.* - (1) The Vice Chancellor shall, in consultation with the appropriate officers of the University, take such steps as may be necessary for the full co-ordination of teaching, research and Extension activities of the University.

(2) The Vice Chancellor shall be responsible to see that conditions are created for making maximum feasible progress in the development of new information and technology in Fisheries and Ocean Studies.

(3) The Vice Chancellor shall be responsible to see that there is appropriate inter-relation of the different curricula and courses offered in the different Schools of the University as to avoid unnecessary duplication of functions between Schools and to provide the students with the best courses and instruction facilities feasible within the resources of the University.

(4) The University shall develop its Programmes of research and extension education keeping in view the needs of the State and provide appropriate technical support and consultative service to Government Department and other agencies engaged in Fisheries and Ocean Studies development work.

## CHAPTER VI

### APPOINTMENT OF TEACHERS, OFFICERS AND STAFF

50. *Appointment of teachers, officers and staff* - (1) Subject to the provisions of this Act and the Statutes, the members of the staff of the University shall be appointed by the University Governing Council.

Except the officers under section 30, the appointment of non-teaching staff of the University shall be conducted through Kerala Public Service Commission.

(2) Except in cases otherwise provided for in this Act and the Statutes, every salaried officer and teacher of the University, shall be appointed under a written contract.

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

(4) The contract shall not be inconsistent with the provisions of this Act and the Statutes for the time being in force in relation to the conditions of service.

(5) The procedure for selection of officers, teachers and other employees of the University shall, unless otherwise provided for in this Act, be such as may be prescribed.

(6) The normal retirement age of the Dean, Directors of Schools, Director of Research, Director of Extension, Director of Regional Centres, Professors and other categories of teachers of the University shall be sixty years.

(7) The normal retirement age of officers of the University other than the Chancellor, the Pro-Chancellor, the Vice Chancellor and those specified in sub-section (6) shall be fifty five years.

51. *Reservation of appointments* - The rules for the reservation of appointments to posts under the Government in favour of the Scheduled Castes or Scheduled Tribes and other backward classes of citizens shall apply in the case of appointment of the teachers, non-teaching staff and other employees of the University.

## CHAPTER VII

### ADMISSIONS AND OTHER MATTERS RELATING TO STUDENTS

52. *Admissions and Examinations* –(1) Subject to the reservation policy of the Government for the weaker sections of society, admission to all courses in the University Departments, colleges and schools shall be made 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 and publish the same in the Gazette, at least six months before the beginning 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 uncluding a Schedule of Examinations:

Provided that no examination or result of an examination shall be held invalid only for the reason that the University has not followed the Schedule.

53. *Selection of students for sports, cultural and other activities* –The University shall provide in the Statutes provision 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.

54. *Residence of students* - Students shall reside in hostels maintained by the University or approved by the Director of Students Welfare, subject to such conditions as may be prescribed.

55. *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.

56. *Disciplinary powers and discipline among students* –(1) All powers relating to Discipline and disciplinary action in relation to the students of the University Departments and institutions and colleges, maintained by the University, shall vest in the Vice Chancellor .

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

## CHAPTER VIII

### DEGREES AND CONVOCATIONS

57. *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 distinctions on any person, without requiring him to undergo any test or examination on the sole ground 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 distinctions and such recommendation shall be deemed to have been duly passed by a majority of not less than two-third 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 prior approval of the Chancellor, obtained by the Vice 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 prior approval of the Chancellor, obtained by the Vice 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, postgraduate degrees or diplomas or for any other purpose.

## CHAPTER IX

### GRIEVANCE REDRESSAL MECHANISM

58. *Grievances Redressal Committee* - (1) There shall be a Grievances Redressal 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 Redressal 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 Redressal 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, one shall be a women                    | - Members          |
| iii) | Three members of Governing Council elected by the members of the Governing Council from among themselves one shall be a women | - Members          |
| iv)  | The Registrar   | - Member Secretary |

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

59. *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, namely:-

- |      |   |             |
|------|---|-------------|
| i)   | Pro-Vice Chancellor   | - Chairman; |
| ii)  | Dean of a Faculty nominated by the Vice Chancellor                      | - Members;  |
| iii) | Three members of the Governing Council nominated by the Vice Chancellor | - Members   |

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

60. *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 the 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.

61. *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.

## CHAPTER X

### FUNDS AND ACCOUNTS

62. *Pension, Provident Fund etc.* – (1) The University shall constitute for the benefit of the officers, teachers, other non-teaching staff and other employees of the University such pension, insurance and provident fund schemes as it may deem fit in such manner and subject to such conditions as may be prescribed.

(2) Where any such pension, insurance or provident fund has been constituted by the University, the Government may declare that the provisions of the Provident Fund Act, 1925 (Central Act 19 of 1925) shall apply to such fund as if it were a Government Provident Fund;

Provided that the University shall, in consultation with the Finance Committee constituted under section 63 invest the provident fund amount in such manner as it may determine.

63. *University funds and grants* – (1) The University shall have a General fund to which shall be credited, -

- a) Its income from fees, endowments and grants, if any; and
- b) Other receipts and donations from building agencies.

(2) The University shall form a Fund called the Foundation Fund from contributions and grants made by the Central Government and the Government of Kerala for being credited to that fund and such other sums from the University as may be credited to the said fund.

(3) The moneys in the Foundation Fund shall be invested in the securities mentioned or referred to in clauses (a) to (d) of section 20 of the Indian Trust Act, 1882 (Central Act 2 of 1882)

(4) The University shall furnish such statements, accounts, reports and other particulars as the Government may require relating to any grant made by the Government and shall take such action and furnish such statements, accounts,

reports and other particulars relating to the utilization of any grant within such time and in such manner as the Government may direct.

(5) It shall be competent for the University, in furtherance of its objectives, to accept grants from the Government of Kerala or any other State Government or donations under such conditions as may be agreed upon between the University and the grantor or donor.

(6) The University may have such other funds as may be prescribed.

(7) The General fund, the foundation fund and other funds of the University shall be managed according to provisions laid down in the Statutes.

(8) The Government shall make non lapsable lump sum grants to the University every year as follows:-

(a) a grant not less than the expenditure incurred in the previous year by the institutions of the Fisheries and Ocean Studies and other Government and University Departments on such of the activities as are transferred to the University.

(b) a grant not less than the estimated net expenditure towards pay and allowances of the staff, contingencies, supplies and services of the University other than that towards the activities of the institutions referred to in clause (a);

(c) a grant to meet such additional items of expenditure, recurring and non-recurring as the Government may deem necessary for the proper functioning of the University.

(9) The Government shall also make a non-lapsable lump sum grant to the University in respect of schemes included in the Five Year Plan and transfer to the University, an amount equal to the net outlay as shown in the annual plan for the implementation of schemes.

(10) The Government may make Adjustments for the anticipated assistance from the Central Government and other agencies sponsoring such schemes;

Provided that such assistance shall come to the University direct and not through the Government .

64. *Finance Committee* - (1) The University Governing Council shall constitute a Finance Committee consisting of the Vice Chancellor , the Finance Secretary to Government , Higher Education Secretary, Finance Officer and two members chosen by the University Governing Council , one from among its non-official

members and the other from among its ex-officio members who have expertise in the field. The Finance Committee shall meet once in three months.

(2) The Finance Committee shall have the following powers, namely:-

- (a) to examine the annual accounts of the University and to advise the University Governing Council thereon;
- (b) to examine the annual budget estimates of the University and to advise the University Governing Council thereon;
- (c) to review the financial position of the University from time to time;
- (d) to make recommendations to the University Governing Council on all matters relating to the Finance of the University;
- (e) to make recommendations to the University Governing Council on all proposals involving expenditure for which no provision has been made in the budget or which involve expenditure in excess of the amount provided in the budget.

65. *Accounts and Audit* – (1) The annual accounts of the University shall be prepared by the Finance Officer under the direction of the Vice Chancellor and all the moneys accrued to or received by the University from whatever source and all amounts disbursed and paid by the University shall be entered in the accounts.

(2) The annual accounts of the University shall be submitted by the Vice Chancellor to the Government, which shall cause an audit to be conducted by the Accountant General or the Director of Local Fund Audit.

(3) The accounts when audited shall be printed and copies thereof together with the audit report shall be presented by the Vice Chancellor to the University Governing Council and the Chancellor.

(4) The University Governing Council shall submit a copy of the accounts and audit report to the Government along with a statement of action taken by the University on the audit report for the financial year ending on 31<sup>st</sup> March of the year, on or before the 1<sup>st</sup> day of March of succeeding year and on receipt of the same, the Government shall immediately cause the same to be laid on the table of the Legislative Assembly if it is in session, and if it is not in session, in the next session immediately following such receipt.

## CHAPTER XI

### STATUTES, ORDINANCES, REGULATIONS AND ORDERS

66. *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 specialized 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, 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, colleges and recognized institutions, subject to the approval of the State Government;

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

xiv) provision of reservation of adequate number of posts of teachers, officers and other employees of the University, colleges, and schools 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;

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 ; and

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

67. *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 Vice Chancellor , 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) 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;

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

68. *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 authorized 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 Department, colleges and schools;

(vii) the inspection of colleges, recognized 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 colleges and recognised institutions regarding transfer of students wherever necessary;

(x) the duties and functions of students' associations and other organizations 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.

69. *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 67 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.

70. *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 qualification 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 made, 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.

71. *Orders* - (1) The University Governing Council shall have power to issue orders not inconsistent with the provisions of this Act, Statutes, Ordinances and Regulations made thereunder for the guidance and working of Schools and Committees, Colleges and other bodies under the provisions of this Act or the Statutes, Ordinances and Regulations made thereunder and for regulating the procedure and conduct of business of any Authority of the University.

(2) All such orders shall have effect from such date as the University Governing Council may direct.

(3) The University Governing Council shall have power to cancel or modify any such order.

72. *Publication in the Gazette* - All Statutes, Ordinances and Regulations made under this Act shall be published in the Gazette.

## CHAPTER XII

### MISCELLANEOUS

73. *Transfer of certain colleges and institutions to the University* - (1) Notwithstanding anything contained in the Kerala Agriculture University Act, 1971 (Act 33 of 1971), the Statutes, Ordinances, Regulations or Orders made thereunder, Colleges of Fisheries of Kerala Agriculture University shall, as from such date as the Government may by notification in the Gazette specify, be disaffiliated from the Kerala Agriculture University and shall be maintained by the Kerala University of Fisheries and Ocean Studies, as constituent units.

(2) The control and management of the institutions specified in sub-section (1) shall, as from the date notified under that sub-section, be transferred to the University and all properties and assets and liabilities and obligations of the Government in relation thereto shall stand transferred to vest in, or devolve upon, the University.

(3) The control and management of all research and educational institutions of the Departments of Fisheries and Ocean Studies in the State shall, as from such date or dates as the Government may by order specify, be transferred to the University, and thereupon all the properties and assets and liabilities and obligations of the Government in relation to such institutions shall stand transferred to, vest in, or devolve upon, the University.

(4) Every person employed in any of the institutions specified in sub-section (1) or in any of the institutions referred to in sub-section (3) immediately before the date specified in the notification under sub-section (1) or the date specified in the order under sub-section (3) in relation to that institution, as the case may be, shall, as from that date, become an employee of the University:

Provided that the Government may within a period of six months from the date specified in the notification under sub-section (1) or in the order under sub-section (3) with the concurrence of the University, -

(a) direct that any person who has so become an employee of the University shall cease to be an employee of the University and shall become an employee of the Government, if in the opinion of the Government the continuance of such person as an employee of the University has the effect of depriving any other person who has superior claim and who is willing to be appointed in the employment of the University; or

(b) transfer to the University any employee of the Government who on the date specified in the notification under sub-section (1) or in the order under sub-section (3), as the case may be, is eligible to become an employee of the University and who has superior claim than any other person who has become an employee of the University on that date:

Provided further that, if in the opinion of the University, any person employed in any of the institution referred to in sub-section (3) immediately before the date specified in the order under that sub-section in relation to that institution or any person transferred to the University under the preceding provision, is not suitable, the University may move the Government within a period of two years from the date specified in the said order or the date of transfer of the person to the University, as the case may be, to take back such person to the service of the Government, and thereupon the Government shall take back such person to the service of the Government.

(5) If any person employed in any of the colleges specified in sub-section (1) does not possess the qualification prescribed for the corresponding post in the University, a post of the same cadre as he was holding immediately before the date specified in the notification under the said sub-section shall be created in the University for accommodating such person.

(6) Subject to the provisions of sub-sections (4) and (5), the remuneration and conditions of service of any person referred to in sub-section (4) shall not be less favourable than those to which that person was entitled immediately before he became an employee of the University.

(7) Notwithstanding the transfer of a person to the University under sub-section (4), any proceedings initiated by the Government against such person before the date of such transfer may be continued by the Government as if such person has not become an employee of the University, and the University shall be bound to give effect to the decision taken by the Government in such proceedings.

74. *Protection of acts done in good faith* – No suit or other legal proceedings shall be instituted against 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 made thereunder.

75. *Transitory provisions* Notwithstanding anything contained in this Act or the Statutes, Ordinances or Regulations made thereunder any student of any college specified in sub-section (1) of section 72 who is studying for any examination of the Kerala Agricultural University shall be permitted to complete his course and preparation thereof, and the University established under this Act shall make arrangements for holding for such students, examination in accordance with the curricula of studies of the Kerala Agriculture University until he completes the said course of studies.

76. *Nominations of first set of Authorities* – (1) Notwithstanding anything contained in any other provisions of this Act, the first set of all the Authorities of the University shall be nominated by the Chancellor as soon as may be after the publication of this Act in the Gazette.

(2) A member of any Authority nominated under sub-section (1) shall hold office for a period of three years from the date of such nomination or till the members of the corresponding authority are elected or nominated, as the case may be, under the provisions of this Act, whichever is earlier.

77. *Delegation of powers* – The University Governing Council may delegate to any Officer or Authority of the University any of the powers conferred on it by this Act or by the Statutes, to be exercised subject to such restrictions and conditions as may be prescribed.

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

79. *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 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 modifications 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.

80. *Removal of difficulties* - (1) If any difficulty arises in giving effect to the provisions of this Act, Government may, by order published in the Gazette, do anything not inconsistent with the provisions of this Act, which appears to them to be necessary or expedient for removing the difficulty;

Provided that no order shall be made under this section after the expiration of three years from the date on which this Act comes into force.

(2) No order made under sub-section (1) shall be questioned in any Court of law on the ground that no difficulty as is referred to in the said sub-section existed or was required to be removed.

(3) Every order published under this section shall, as soon as may be after its publication, be laid 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 modifications in the order or decides that the order should not be made, 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.

81. *Repeal and Saving* - (1) The Kerala University of Fisheries and Ocean Studies Ordinance, 2010 (56 of 2010), 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 Act.

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Amendments proposed as per letter dtd 31.5.2013 of Principal Secretary,  
Fisheries.

1. No correction needed in English version.
2. No correction needed in English version.
3. In Section 2 under subsection (h) Section 42 may be replaced with Section 43
4. In Section 2 under subsection (i) Section 41 may be replaced with Section 42
5. In Section 2 under subsection (j) Section 43 may be replaced with Section 44
6. No correction needed in English version as the word Finance Officer is used through out.
7. In Section 2 under subsection (k) Section 37 may be replaced with Section 38
8. No correction needed in English version.
9. No correction needed in English version
- 10.No correction needed in English version.
- 11.No correction needed in English version.
- 12.No correction needed in English version.
- 13.No correction needed in English version.
- 14.No correction needed in English version.
- 15.For orders whether correction is needed regarding the word 'performance' may be replaced by 'implementation'.
- 16.In Section 8, at the end of subsection (1), 'the inspection committee' may be replaced by 'the inspection committee of the University.'
- 17.In Section 12 under subsection 3 (iv) the word 'Earth Studies' may be replaced with 'Earth Science'
- 18.In Section 17, under subsection 1 (v) the part 'or representative not below the rank of his Additional Director' may be replaced with 'or his representative not below the rank of Additional Director'
- 19.In Section 17, under subsection 1 (vi) the part 'or representative not below the rank of his Principal Scientist' may be replaced with 'or his representative not below the rank of Principal Scientist'.
- 20.In Section 17, under subsection 1 (vii) the part 'or representative not below the rank of his Principal Scientist' may be replaced with 'or his representative not below the rank of Principal Scientist'.
- 21.In Section 17, under subsection 1 (viii) the part 'or representative not below the rank of his Principal Scientist' may be replaced with 'or his representative not below the rank of Principal Scientist'.
- 22.In Section 17, under subsection 1 (ix) the part 'or representative not below the rank of his Principal Scientist' may be replaced with 'or his representative not below the rank of Principal Scientist'.
- 23.Section 45 may be corrected as follows :

1. Each Department shall have a Head of Department whose appointment, powers and duties shall be as specified in Section 23.

24. No correction needed in English version.

25. In Section 33 under subsection 5 the word 'on such terms and conditions' may be replaced with 'on such terms and conditions as may be specified'

26. No correction needed in English version

27. No correction needed in English version

28. No correction needed in English version

29. In Section 34 under subsection 4 the part 'and shall have all the powers necessary for that purpose' may be replaced with 'and he shall have all the powers necessary for that purpose'

30. No correction needed in English version

31. No correction needed in English version

32.

1. No correction needed in English version

2. In Section 35 under subsection 5 the part 'on such terms and conditions' may be replaced with 'on such terms and conditions as may be specified'

33. No correction needed in English version

34. The age limit for Registrar may be specified.

35. In Section 42 under subsection 4 the part 'Section 46' may be replaced with 'Section 47'

36. In Section 43 under subsection 4 the part 'Section 47' may be replaced with 'Section 48'

37. No correction needed in English version

38. No correction needed in English version

39. No correction needed in English version

40. No correction needed in English version

41. No correction needed in English version

42. No correction needed in English version

43. In Section 62 under subsection 2 last para the part 'Section 43' may be replaced with 'Section 64'

44. No correction needed in English version

45. No correction needed in English version

46. No correction needed in English version

47. No correction needed in English version

48. No correction needed in English version

49. No correction needed in English version

50. In Section 69 under subsection 1 the part 'Section 67' may be replaced with 'Section 68'

