

GOVERNMENT OF KERALA

Law (Legislation-I) Department

NOTIFICATION

No. 1118/Leg.I2/2020/Law.

*Dated, Thiruvananthapuram, 30th October, 2021
14th Thulam, 1197
8th Karthika, 1943.*

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala University of Digital Sciences, Innovation and Technology Act , 2021 (10 of 2021).

By order of the Governor,

V. HARI NAIR,
Law Secretary.



[Translation in English of “2021-ലെ കേരള ഡിജിറ്റൽ ശാസ്ത്ര സാങ്കേതിക നൂതനവിദ്യാ സർവ്വകലാശാല ആക്ട്” published under the authority of the Governor.]

ACT 10 OF 2021

THE KERALA UNIVERSITY OF DIGITAL SCIENCES, INNOVATION AND TECHNOLOGY ACT, 2021

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

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

BE it enacted in the Seventy-second Year of the Republic of India as follows:—

CHAPTER 1

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kerala University of Digital Sciences, Innovation and Technology Act, 2021.

(2) It shall be deemed to have come into force on the 1st day of July, 2020.

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

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



(b) “Board of Governors” means the Board of Governors of the University constituted under section 18;

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

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

(e) “Company” means a Company established under the Companies Act, 2013 (No. 18 of 2013);

(f) “Council” means the General Council of the University constituted under section 17;

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

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

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

(j) “Officer” means an officer of the University specified in Chapter 3 of this Act or any other person designated as an officer by the Statutes;

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

(l) “Prescribed” means prescribed by Statutes and Regulations made under this Act;

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

(n) “Regulations” means the regulations of the University made under this Act;

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

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

(q) “School” means the school of study established by the University;

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



- (s) “Sponsoring Entity” means the sponsoring entity as described in section 7;
- (t) “State” means the State of Kerala;
- (u) “Statutes” means the Statutes made in accordance with the provisions of this Act;
- (v) “Student” means a person duly admitted as a full time or part time student in the University or educational research centres established by the University or institutions recognised by the University, in accordance with the regulations for undergoing a course of study or research, for obtaining a degree, diploma or certificate of the University;
- (w) “Teachers” means professors, associate professors, assistant professors and such other persons as may be appointed for imparting instructions or conducting research in the Institute and are designated as teachers by the Statutes;
- (x) “University” means the Kerala University of Digital Sciences, Innovation and Technology established and incorporated under this Act;
- (y) “Vice-Chancellor” means the Vice-Chancellor of the University.

CHAPTER 2

THE UNIVERSITY

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

(2) The headquarters of the University shall be in Thiruvananthapuram District.

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

(4) 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 or sell or otherwise transfer any movable or immovable property which may have become vested in or have been acquired by it for the purpose of the University, to borrow money from the Central Government or any other State Government or



from any body corporate approved by the Government, to contract and to do all other things necessary for the purposes of this Act and shall by the said name sue or be sued.

(5) 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.

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

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

(a) to facilitate and promote post graduate education, research, training and consultancy works in information technology and its multidisciplinary applications;

(b) to support creation of high quality human resources in the field of digital technology through variety of education and research programs, skill development initiatives and industry relevant courses;

(c) to achieve excellence in digital technology and matters connected therewith or incidental thereto;

(d) to create a paradigm shift in the way of information technology and digital technologies that can be used for improving the delivery of services in selected domains;

(e) to enable industrial sector to develop futuristic products, innovations and services;

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

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

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

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



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

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

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

(e) to set up education and research centres in other parts of the State and with the permission of the Government, in other parts of India;

(f) to give recognition to the government recognized research organizations and training centres to work as Extension Centres, Independent Centres of Excellence, Training Centres and Outreach Centres of the University in compliance with the Statutes;

(g) to organize and undertake extramural studies and knowledge extension services;

(h) to create contractual, administrative, ministerial and other posts in the University and to appoint persons in such posts;

(i) to fix the salary structure including allowances, provident fund and other allowances of the posts mentioned in clause (h) so as to meet the minimum norms of regulatory bodies, such as University Grants Commission and All India Council for Technical Education etc., provided that the net salaries may be higher than those prescribed by the regulatory bodies but in no case lower to determine the contractual terms, length and tenure of contract, expectations, roles, responsibilities etc., associated with the contract for all academic, teaching and other employees; to establish revenue sharing mechanisms with all its employees;

(j) to appoint persons working in any other Universities or organizations as teachers of the University for a specified period;

(k) to create performance based incentive system to attract and retain world class talents in the University, schools and research centres;



(l) to associate with industrial establishments, non-governmental organizations and other research organizations to set up chair positions to pursue advanced research and practice;

(m) to form mutually beneficial relationships with other Universities in India and abroad involving exchange of knowledge, technology, students and faculties and to facilitate mutual establishment of research centers focused on digital sciences, technology and humanities;

(n) to associate with international research agencies, funding agencies and foundations for taking up research and studies in Digital Sciences, technology, interdisciplinary innovation, entrepreneurship, liberal arts and humanities;

(o) to generate and monetize the intellectual property through research and consulting;

(p) to co-operate, collaborate or associate with any other University, authority or organization of higher learning, industry and corporate house, laboratory engaged in cutting-edge work, in such manner and for such purposes as the University may determine;

(q) to approve persons working in organizations mentioned in clause (p) for imparting instruction or supervising research or both or to withdraw such approval;

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

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

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

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

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

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

(x) to demand and receive fee or other charges for knowledge extension work;



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

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

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

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

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

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

(ze) to receive benefactions, donations and gifts from persons, companies, governmental and non-governmental institutions, Trusts and Non-Governmental Organisations and to name such chairs, institutions, buildings and the like as the University may determine;

(zf) to acquire, hold, manage and dispose of any property, movable or immovable including Trust and endowment properties, for the University:

Provided that the prior permission of the Government is necessary to acquire, hold, manage and dispose of such property, movable or immovable for which the land was acquired or the building was constructed with the assistance of Government;

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

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



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

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

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

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

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

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

(2) The Sponsoring Entity shall facilitate all the infrastructural facilities as may be required for the establishment of the University;

CHAPTER 3

CHANCELLOR, PRO-CHANCELLOR AND OTHER OFFICERS OF THE UNIVERSITY

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



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

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

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

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

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

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

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

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

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

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



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

11. *The Vice-Chancellor.*— (1) The Vice-Chancellor shall be a scholar of eminence in the area of Technology or Science or Engineering or Management and having administrative experience in an institution of higher learning. He shall be a person having a minimum of ten years of experience as Professor in a University or experience of equivalent position in a reputed research or academic or administrative organisation.

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

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

- (a) Chief Secretary to State, he shall be the Convener of the committee;
- (b) one expert member from Electronics and Information Technology Industry;
- (c) one expert member from Academia selected by the Board of Governors;
- (d) one nominee of the University Grants Commission; and
- (e) one nominee of the State Government.

(4) The process of preparing the panel shall begin atleast three months before the probable date of occurrence of the vacancy of the Vice-Chancellor and shall be completed within the time-limit fixed by the Chancellor. The Chancellor, may however extend such time-limit, if, in the exigency of the circumstances, it is necessary to do so. However, the process of



preparation of the panel shall be completed within a period of three months, including the period so extended. In case the search-cum-selection committee fails to make a unanimous recommendation as provided, each member of the committee may submit the name of one person each to the Chancellor. The non-submission of the name by any member of the Committee shall not invalidate the appointment of the Vice-Chancellor.

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

(6) No person who is more than sixty one years of age shall be appointed as Vice-Chancellor and after the appointment, he shall, subject to the terms and conditions of his appointment, hold office for a period of four years from the date on which he enters upon his office or till he attains the age of sixty five years, whichever is earlier.

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

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

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

(9) The Chancellor shall have the power to remove the Vice-Chancellor, from his office, on the satisfaction of the Chancellor, by an order in writing on charges of misappropriation of fund of the University and misconduct:

Provided that, such charges are proved by an enquiry conducted by a person who is or has been a judge of the High Court appointed by the Chancellor for the purpose:



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

(10) In the event that a temporary vacancy occurs in the post of Vice- Chancellor due to any unforeseen or casual reason or if the Vice-Chancellor has to be temporarily abstained himself from the said position, the Chancellor may appoint the Vice-Chancellor of any other University or the Secretary of Electronics and Information Technology Department, as recommended by the Government, to be the Vice-Chancellor, for a period of not exceeding six months, in the aggregate.

(11) Where any matter is required to be regulated by Statutes or Regulations but no Statutes or Regulations have been made in that behalf, the Vice-Chancellor shall, for the time-being, regulate the matter by issuing such directions as he thinks necessary, and shall, as soon as may be, submit them before the Board of Governors or other authority or the body concerned for approval.

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

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

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

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



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

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

CHAPTER 4

AUTHORITIES OF THE UNIVERSITY

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

- (i) the General Council;
- (ii) the Board of Governors;
- (iii) the Senate;
- (iv) the Finance Committee;
- (v) the Academic Council;
- (vi) the Research Council; and

(vii) such other bodies of the University as may be designated by the Statutes to be the authorities of the University.

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

(2) The General Council shall have the following members, namely:—

- (i) Chancellor—Chairperson;
- (ii) Pro-Chancellor—Vice Chairperson;



(iii) Minister-in-charge of Higher Education Department, Government of Kerala—Member;

(iv) two members elected by the members of Legislative Assembly from among themselves—members;

(v) Chairperson of the Board of Governors —Member;

(vi) Vice- Chancellor—Member;

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

(viii) One senior representative from University Grants Commission—Member;

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

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

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

(xii) one person nominated from the Higher Education Council, Government of Kerala—*Ex-officio* Member;

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

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

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

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

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



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

(xix) six prominent persons nominated by the Government, three of them shall be persons of international repute in information technology or allied sectors or holding position at the level of Managing Director or above in industrial sector and one of them shall be a person belonging to Scheduled Caste or Scheduled Tribe and one shall be a woman and one shall be an entrepreneur—Members;

(xx) two faculty members nominated by the Vice-Chancellor—Members;

(xxi) two students nominated by the Vice-Chancellor—Members.

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

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

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

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

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

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

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

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

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



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

(ii) Vice-Chancellor—Vice-Chairperson;

(iii) one member elected by the members of Legislative Assembly from among themselves—member;

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

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

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

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

(viii) one person nominated from the Higher Education Council, Government of Kerala—*Ex-officio* Member;

(ix) one representative of the Ministry of Electronics and Information Technology, Government of India—*Ex-officio* Member;

(x) one representative of the Department of Science and Technology, Government of India—*Ex-officio* Member;

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

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

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

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



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

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

(xvii) two persons from the panel of four experts submitted by the Vice-Chancellor with proven expertise in education, research or information technology and application and allied disciplines, two experts related to the said fields, nominated by the Chairperson—Members;

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

(xix) one student nominated by the Vice-Chancellor—Member.

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

(3) The first Board of Governors of the University shall be appointed by the Government, through Gazette notification.

19. *Term of office and allowances payable to the members of the Board of Governors.*—(1) Save as otherwise provided in this Act, the term of office of the members of the Board of Governors shall be as follows, namely:—

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

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

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

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

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



(3) Notwithstanding anything contained in this section, in case the members nominated by the Board of Governors as per sub-section (1) of section 18, vacate the office, he shall continue as a member until another person is nominated as a member in his place or up to three months, whichever is earlier.

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

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

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

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

(ii) to set up schools of study, to determine the courses of study and decide the admission criteria and to set up Independent Centres of Excellence;

(iii) to fix the fee for various courses;

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

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

(vi) to consider, modify or cancel Regulations;

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



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

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

(4) The Board of Governors shall meet at least once in three months.

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

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

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

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

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

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

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

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

(i) Vice-Chancellor;

(ii) two members nominated by the Board of Governors from its members; and

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



(2) The members of the Finance Committee nominated from the Board of Governors, other than the Vice-Chancellor, shall hold office so long as they continue as members of the Board of Governors or for a period of two years, whichever is earlier.

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

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

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

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

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

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

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

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

(i) Vice-Chancellor—Chairperson;

(ii) three Experts from the field of Science, Digital Technology and Humanities nominated by the Board of Governors on the recommendation of the Vice Chancellor;

(iii) Dean of the academic wing;



(iv) Dean of the research wing;

(v) all Professors of the University; and

(vi) two student representatives from the students of the University nominated by the Government and one of them shall be a girl student.

(2) The Registrar shall be the Secretary of the Academic Council.

(3) The Academic Council shall meet as decided by the Vice-Chancellor and in any case, the interval between two meetings shall not exceed sixty days.

(4) The quorum for the meeting of the Academic Council shall be one-third of the total members.

(5) The term of office of the nominated members of the Academic Council shall be two consecutive academic years. The term of office of other members shall be till the end of their official position or on completion of two consecutive academic years, whichever is earlier.

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

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

(i) Vice-Chancellor;

(ii) Deans;

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



(iv) two directors or scientists from research institutions in the area of digital sciences, technology, interdisciplinary innovations, liberal arts or humanities, nominated by the Board of Governors;

(v) two student representatives from the students of the University nominated by the Government and one of them shall be a girl student.

(2) the Dean of Research wing nominated by the Vice-Chancellor shall be the co-ordinator of the Research Council.

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

(4) The duties of the Research Council shall be as may be prescribed by the Statutes.

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

CHAPTER 5

STATUTES AND REGULATIONS

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

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

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

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



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

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

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

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

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

(ix) conferment of honorary degrees;

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

- (i) any contribution or grant provided by the Central or State Government;
- (ii) any contribution or grant provided by the University Grants Commission;
- (iii) any contribution or grant provided by the Industrial establishments, corporates or business houses;
- (iv) any bequests, donations, endowments or other grants provided by private individuals and other Trusts, public or private;
- (v) income received by the University from fee and charges; and
- (vi) amounts received from any other source.

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

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

31. *Annual Accounts.*—(1) The annual accounts and the balance sheet of the University shall be prepared under the direction of the Vice-Chancellor and approved by the Board of Governors and shall, at least once in every year and at intervals of not more than fifteen months,



be audited by the Comptroller and Auditor General of India or such person or persons as he may authorize in this behalf.

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

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

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

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

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

(4) The Appellate Tribunal shall have the power to make regulations with the prior permission of the Government for regulating its procedure and transaction of its business. The regulations so made shall be published in the Official Gazette.

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

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

34. *Chancellor to decide disputes.*—If any question arises regarding the interpretation of any provisions of this Act or of any Statutes or Regulations as to whether any person who has been duly appointed or nominated is entitled to be a member of any authority or body of the University, the matter may be referred, on petition by any person or body directly affected, or *suo moto* by the Vice-Chancellor to the Chancellor, who shall after taking such advice as



deemed necessary, decide the question in consultation with the Government and such decision shall be final.

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

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

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

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

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

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



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

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

41. *Repeal and saving.*—(1) The Kerala University of Digital Sciences, Innovation and Technology Ordinance, 2021 (113 of 2021) is hereby repealed.

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

