

## CHAPTER X

### AFFILIATION OF COLLEGES AND RECOGNITION OF INSTITUTIONS

**59. Affiliation of colleges.-** (1) Colleges within the University area shall on satisfying the conditions specified in this section be affiliated to the University as affiliated colleges of the University on the recommendations made by the State Government.

(2) The Registrar shall notify atleast in two leading newspapers one in English and one in Kannada, inviting applications for affiliation of new colleges, new courses in the existing affiliated colleges, new subjects in the affiliated colleges and also variation in the sanctioned intake fixing the last date for receipt of applications. The advertisement shall also contain such other particulars as may be required by the University and also specify the amount of fee for affiliation with a specific indication where the college requires to obtain the approval or recognition of the All India Council for Technical Education, the Bar Council of India, the National Council for Teachers Education or such other authorities to that effect.

(3) A college applying for affiliation to the University shall send an application to the Registrar within the time limit stipulated in the advertisement furnishing the information with respect to the following:-

- (a) that it will supply a need in the locality, having regard to the type of education intended to be provided by the college, the existing provision for the same type of education made by other colleges in the neighbourhood and the suitability of the locality where the college is to be established;
- (b) that it is to be under the management of a regularly constituted governing body;
- (c) that the strength and qualifications of the teaching staff and the conditions governing their tenure of office are such as to make due provision for the courses of instruction, teaching or training to be undertaken by the college;
- (d) that the buildings in which the college is to be located are suitable and that provision shall be made in conformity with the Ordinances for the residence in the college or in lodgings approved by the college, for students not residing with their parents or guardians and for the supervision and welfare of students.
- (e) that due provision has been made or will be made for a library;
- (f) that where affiliation is sought in any branch of experimental science, that arrangements have been or will be made in conformity with the Statutes, Ordinances and Regulations for imparting instruction in the branch of science in a properly equipped laboratory or museum;

- (g) that as far as circumstances may permit due provision shall be made for the residence of the principal and members of the teaching staff in or near the college or the place provided for the residence of students;
- (h) that the financial resources of the college are such as to make due provision for its continued maintenance and efficient working; and
- (i) that rules fixing the fees if any to be paid by the students have been framed or will be framed.

(4) Applications for affiliation of new colleges shall not be entertained from individuals, but only from the registered society or registered public trust, financially viable to run the colleges without the aid of the State Government.

(5) The application shall further contain an undertaking that after the college is affiliated there shall not be any transfer of management or change of name and style of the college, without prior approval of the State Government and the University.

(6) On receipt of application under sub-section (2), it shall be placed before the Syndicate for consideration. The Syndicate on consideration of each of the applications for affiliation shall direct a local inquiry to be made by a Local Inquiry Committee:

Provided that the local inquiry committee shall consist of atleast one person belonging to the Scheduled Castes or the Scheduled Tribes.

(7) The Local Inquiry Committee shall within thirty days from the date of constitution thereof submit a report to the Academic Council.

(8) The Academic Council shall soon after the receipt of the report of the Local Inquiry Committee consider the findings of the Committee envisaged in the report and make such further enquiry as may appear it to be necessary and record its opinion on such request and transmit it to the Syndicate.

(9) The Syndicate shall consider the report of the Committee and the resolution of the Academic Council and shall further record its opinion on the question whether the request shall be granted either in whole or in part or rejected, after making such further enquiry as may be deemed necessary.

(10) The Registrar shall submit the application and its enclosures, annexures, the report of the Local Inquiry Committee, and the proceedings of the Academic Council and Syndicate to the State Government for taking a decision thereon before 31st March of ensuing year.

(11) The State Government shall consider such applications in the light of the recommendations of the Local Inquiry Committee, the Academic Council and the Syndicate and after such enquiry as may appear it to be necessary make their recommendation to the University to affiliate or reject affiliation as the case may be, or any part thereof, including the variation in the intake.

(12) The University shall on receipt of the directions of the State Government, issue formal orders accordingly.

(13) Sanction of affiliation however, be subject to obtaining the prior approval of the All India Council for Technical Education, the Bar Council of India, the National Council for Teachers Education, or such other authorities or bodies concerned and the intake determined shall not exceed the intake if any specified by such authorities or bodies.

(14) Where the application for affiliation or fixation of intake or any part thereof is granted by the University on the recommendation of the State Government, the University shall specify in the order the courses of study in respect of which and the period for which the college or course is affiliated with the specified intake with or without specific conditions.

(15) Where such an application or any part thereof is rejected by the State Government or the University, the grounds of such rejection shall be stated.

(16) Any application made under sub-section (1) may be withdrawn by the applicant at any time before an order is made under sub-section (12).

(17) Renewal of affiliation or continuation of affiliation for each academic year for the existing courses of study and extension of affiliation for follow on courses, excluding new courses, may be granted by the Syndicate in consultation with the Academic Council in the same manner as applicable for grant of fresh affiliation.

(18) The intake in respect of each of the courses of study shall be determined on an yearly basis by the University well before the commencement of each academic year in the order granting affiliation or continuation of affiliation, as the case may be:

Provided that in case of professional courses like Law, Engineering, Architecture and Management including Post-Graduate Programmes in the affiliated colleges the intake shall be fixed by the State Government.

**60. Restriction on admission of students in a new college.-** (1) The admission of students shall not be made by a new college seeking affiliation to any University or by an existing college seeking affiliation to a new course of study or in excess of the stipulated intake, unless, as the case may be affiliation has been granted by the University to a new college or to a new course in the existing affiliated college in respect of such a course of study or for variation of the stipulated intake.

(2) Action shall be taken against any Institution contravening the provisions of sub-section (1) in accordance with the provisions of the Karnataka Prohibition of Admissions of Students to Un-recognised and Un-Affiliated Educational Institutions Act, 1992 (Karnataka Act 7 of 1993)

**61. Restriction for appearance in the examinations.-**A student whose admission has become invalid or whose admission has not been approved by the University or who has been admitted to a college or course of study in excess of the prescribed intake shall not be eligible to appear for the examination conducted by either the college or the University.

**62. Permanent affiliation.-** (1) A College which was affiliated continuously for a period of not less than five years and fulfilled all the conditions of affiliation and attained the academic excellence and the administrative standards on an average stipulated by the University from time to time shall be eligible for grant of permanent affiliation.

(2) The provisions of section 59 shall *mutatis mutandis* apply for sanction of permanent affiliation.

(3) A college permanently affiliated to the University shall be subject to review of its functioning both administratively and academically from time to time by the University and the State Government, atleast once in a period of five years.

(4) Notwithstanding anything contained in the preceding sub-sections if a permanently affiliated college fails to fulfill any of the conditions specified in sub-section (1), the permanent affiliation shall be revoked:

Provided that permanent affiliation shall not be revoked unless an opportunity is afforded by the University, to the college concerned:

Provided further that on revocation of the permanent affiliation, the concerned college shall seek temporary continuation of affiliation on yearly basis.

**63. Withdrawal of affiliation.-** (1) The rights conferred on a college by affiliation, either temporary or permanent, may be withdrawn in whole or in part or modified, if the college has failed to comply with any of the provisions of this Act or the college has failed to comply with any of the conditions of the affiliation or the college is conducted in a manner prejudicial to the interest of the education.

(2) A motion for the withdrawal or the modification of such rights shall be initiated only in the Syndicate. Any member of the Syndicate, including *ex-officio* member who intends to move such a motion shall give a notice of it in writing setting out the grounds on which such a motion is made.

(3) Before taking the said motion into consideration, the Syndicate shall send a copy of the said notice to the principal of the college concerned specifically intimating that any representation in writing on the motion shall be submitted by the college within a period to be specified in such intimation and the same will be considered by the Syndicate.

(4) The period so specified in sub-section (3) may if so expedient be extended by the Syndicate upto a reasonable time.

(5) On receipt of the representation or on the expiry of the period referred to in the preceding sub-sections, the Syndicate after considering the notice of motion, the grounds set out therein and the representation received thereon and after such inspection by a Committee constituted and authorised by it in this behalf and after such further enquiry as may appear to it to be necessary pass a resolution regarding the reasons therefor and shall transmit it to the Academic Council.

(6) On receipt of the report under sub-section (5), the Academic Council shall, after such further enquiry, if any, as may appear to it to be necessary, record its opinion and refer back to the Syndicate.

(7) The Syndicate after considering the resolution of the Academic Council, shall pass a final resolution recommending the withdrawal of affiliation. Such a resolution shall not be deemed to have been passed by the Syndicate unless it has obtained the support of two thirds of the members present at a meeting.

(8) The Registrar shall submit the proposal with all the documents including the notice of motion, the reply of the college, resolutions of the Syndicate and the Academic Council to the State Government for taking decision.

(9) The State Government after such further enquiry, as may appear to it to be necessary may direct the University to withdraw the affiliation in whole or in part or as modified and as applicable from a particular academic year or to reject the proposal.

(10) The University shall on receipt of such direction pass formal order in accordance with such direction.

(11) The students of a college, the affiliation of which has been withdrawn in whole or in part shall be accommodated in the nearby colleges by the University by increasing the intake in respect of particular course of study to the extent of such students to be accommodated. All the documents in respect of such students shall be transferred from the college in respect of which the affiliation has been withdrawn to the college to which they are transferred by the University.

**64. Autonomous College.-** (1) Notwithstanding anything contained in this Act or the Statutes, Ordinances and Regulations made thereunder, the University may, with the prior concurrence of the State Government designate for such period as may be specified, an affiliated college, department or units as an Autonomous College for any course of study, after following the procedure and subject to such conditions as may be specified in the Statutes made in this behalf and with a view to improve the quality of education and to introduce new and relevant courses of study.

(2) Subject to Statutes made in this behalf an Autonomous College so designated shall be entitled to design the courses of studies, devise appropriate teaching methods, devise methods of evaluation examination and tests pertaining to the award of the degree or diploma by the University and frame rules of admission of students.

(3) Subject to such periodic review as may be prescribed in the Statutes, the University may, with the prior concurrence of the State Government, continue the designation of the Autonomous College for such further period as may be specified or cancel such designation.

(4) The Statutes for this purpose shall be made in consultation with the Academic Council of the University and shall provide for,-

- (a) the manner in which and the conditions subject to which an affiliated college, department or unit may be designated as Autonomous College or the designation of such college may be cancelled;
- (b) matters incidental to the administration of an Autonomous College including the constitution or reconstitution, functions, powers and duties of the governing body, Academic Council, Board of Studies and Board of Examiners of the Autonomous College;
- (c) matters relating to admission of students;
- (d) periodic review for continuance or cancellation of designation of Autonomous College;
- (e) such other matters as may be relevant to the working of an Autonomous College including the matters mentioned in sub-section (2).

**65. Voluntary closure of college or course.-** (1) The management of any college which intends to close down the college or a course in view of its incapacity or financial viability or breakdown of the management, shall give a notice in writing of not less than three months prior to the intended closure of the college to the University and to the State Government, stating the reasons therefor.

(2) The application for closure of the college or a course shall be considered by the Academic Council and the Syndicate and pass appropriate resolutions thereon.

(3) The Registrar shall transmit the application and the resolutions of the Academic Council and the Syndicate to the Government which shall on consideration of the same

issue directions either to permit the closure or to reject the closure to the University and the University shall on receipt of such directions pass orders accordingly.

(4) The management shall not close down the college or a course during the currency of the academic year, and until the annual examinations conducted by the University in respect of the course of study are over and a formal order has been issued by the University to do so.

(5) The students of such closed colleges shall on transfer be accommodated in the nearby colleges by the University by increasing the intake in respect of particular course of study to the extent of such students to be accommodated from such closed college and all documents in respect of each student shall be transmitted to the college in which such students are admitted.

(6) If within ninety days after the expiry of the term of notice under sub-section (1), the State Government does not issue any direction either permitting or rejecting the closure it shall be deemed subject to the provisions of sub-section (4), that the management is permitted to close the college or the course as the case may be.

**66. Recognition of certain Institutions.-** (1) Any institution situated within or outside the University area other than a college which conducts research or specified studies or specialised studies may be recognised by the Syndicate as a recognised institution for such purpose and in such manner and subject to such conditions as may be prescribed in the Statute.

(2) Such recognition may be withdrawn either in whole or in part or modified in such manner and for such reasons as may be prescribed by the Statutes.

**67. Inspection of Colleges.-** (1) Every affiliated college including permanently affiliated college shall furnish to the Registrar such reports, returns and other information as the Syndicate in consultation with Academic Council may require to judge the efficiency of the college and the academic quality achieved.

(2) The Syndicate shall cause every such college to be inspected from time to time by a committee constituted for the purpose.

(3) The Syndicate may call upon any college so inspected to take within a specified period such action as may appear to it to be necessary in respect of any matters.

(4) Every college shall comply with the directions of the University issued from time to time in respect of all matters relating to academic and administrative and matters ancillary thereto.