

(3) The employee so transferred shall be eligible to travelling allowance, transfer grants and cost of transportation of personal effects as admissible to the employees of the State Civil Services at the scales applicable to the corresponding posts.

(4) The seniority of an employee so transferred in public interest and who has not opted to retain his lien in the University in which he was appointed shall be determined with reference to the date of his initial appointment in the respective cadre or post.

## 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 at least 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.